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2 SEPTEMBER 1981 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 2, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

Commissioner Murphy presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

4410 CABRILLO - SAN FRANCISCO INDEPENDENT LIVING PROJECT

a) At 4410 Cabrillo, install a 22' blue zone, extending from 12' to 34' east of west property line.

3260-26th STREET - BRAKE & WHEEL CENTER

a) At 3260-26th Street, install a 22' green zone, extending 48' west of east property line to 70' west of same.

249 ONONDAGO - MARSHALL SHEET METAL

a) At 249 Onondago, install a 22' yellow zone, extending from east property line to 34' west of same.

900 BUSH STREET - LA GALLERIA ASSOCIATES

a) At 900 Bush Street, install a 56' yellow zone, extending from east property line to 56' west of same.

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b) At 900 Bush Street, install a 44' white zone, extending from 56' to 100' west. (Paint tips of driveway red on Taylor Street.)

201 COLLINGWOOD STREET - S.F.P.D. - REVOKED

a) At 201 Collingwood Street, revoke existing 18' red zone.

49-4th STREET - S.F.P.D. - REVOKED

a) At 49-4th Street, revoke existing 61' yellow zone, extending from 22' to 83' south of north property line.

298 STEVENSON STREET - S.F.P.D. - REVOKED

a) At 298 Stevenson Street, revoke existing 50' yellow zone, extending from 15' to 65' east of Fourth Street.

3443 MISSION STREET - VICTOR ACEVEDO - REVOKED

a) At 3443 Mission Street, revoke existing 30' yellow zone, extending from 25' to 55' south of Kingston Street.

2300 LAGUNA STREET - S.F.P.D. - REVOKED

a) At 2300 Laguna Street, revoke 18' of existing yellow zone, extending from 85' to 103' north of Washington Street. Leaves 22'yellow zone.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 177 feet of red and yellow zones, at the parts of the City,

at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 486-81

WILLIAM M. SILKETT

RESOLVED, that the recommeneation of the City Attorney for settlement of the claim of William M. Silkett against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 20, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 487-81

TERRY R. MC CUNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry R. McCune against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 488-81

RUDOLF A. SCHERER

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Rudolf A. Scherer against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 489-81

MARK L. SHERMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark L. Sherman against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 21, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 490-81

DAVID WILDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Wildman against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 491-81

BERT J. BECK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bert J. Beck against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 5,1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 492-81

KIMIKO HOFFMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kimiko Hoffman against the City and County of San Francisco in the sum of $35 00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 493-81

PIERRE MINAULT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pierre Minault against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 28, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 494-81

GLENN RICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Glenn Rice against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 31, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 495-81

LYNN E. HANSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lynn E. Hansen against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 496-81

CRAIG A. GOWER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Craig A. Gower against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 23, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 497-81

JULIAN H. SILVERMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julian H. Silverman against the City and County of San Francisco in the sum of $45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 14, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 498-81

JAMES D. GLEESON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James D. Gleeson against the City and County of San Francisco in the sum of $185.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 499-81

HARVEY ANTHONY QUATE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harvey Anthony Quate against the City and County of San Francisco in the sum of $271.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 26, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 500-81

ILENE HOOBLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ilene Hoobler against the City and County of San Francisco in the sum of $180.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 30, 1980

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 501-81

HEDDA CARDENAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hedda Cardenas against the City and County of San Francisco in the sum of $305.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 3, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 502-81

KEVIN ATTWOOD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kevin Attwood against the City and County of San Francisco in the sum of $1,400.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 9, 1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 485-81

JULIA B. MIDDLETON AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Julia B. Middleton in the sum of $10,000.00 in Superior Court Action No. 768-180, entitled, "Julia B. Middleton v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 6,1981

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Lieutenant Robert P. O'Brien, Potrero Station, for service, effective July 17, 1981.

b) Inspector Neil L.Jordan, Bureau of Inspectors, for service, effective July 15, 1981.

c) Police Officer Frank G. Boscacci, Warrant Bureau, for service, effective July 15, 1981.

d) Police Officer Nicholas V. Marota, Southern Station, for service, effective July 15, 1981.

The communications were ordered filed.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 503-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers

submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Inspector Bob Sleadd Photo Lab	$564.50 each	Pako Color Processing System Maintenance Class, Minneapolis, Minnesota, from August 10, 1981 to August 12,1981.
Sergeant Thomas Suttmeier Photo Lab		

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 504-81

AUTHORIZING ATTENDANCE OF SERGEANT DENNIS GUSTAFSON, COMMUNITY SERVICES DIVISION AT A CRIMES AGAINST THE ELDERLY COURSE IN SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 28, 1981 TO OCTOBER 2,1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Dennis Gustafson, Community Services Division, be detailed to attend a Crimes Against the Elderly Course in Sacramento, California, from September 28, 1981 to October 2, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Gustafson in a sum not to exceed $290.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 507-81

AUTHORIZING ATTENDANCE OF OFFICER SANDRA DALY, INTELLIGENCE BUREAU, AT THE FEDERAL BUREAU OF INVESTIGATIONS NATIONAL ACADEMY IN QUANTICO, VIRGINIA, FROM SEPTEMBER 27, 1981 TO DECEMBER 11, 1981.

RESOLVED, that the recommendation of the

Chief of Police that Officer Sandra Daly, Intelligence Bureau, be detailed to attend the Federal Bureau of Investigations National Academy in Quantico, Virginia, from September 27, 1981 to December 11, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that although all travel expenses will be paid by the U.S. Department of Justice, the sum of $800.00 be advanced to Officer Daly from the Department Training Fund for the purchase of required training material, and to supplement the minimal allowance for subsistence.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RESOLUTION NO. 508-81

AUTHORIZING ATTENDANCE OF SHOJI HORIKOSHI, DEPARTMENT CRIMINOLOGIST, AT THE NINTH ANNUAL SYMPOSIUM ON CRIME LABORATORY DEVELOPMENT AT THE F.B.I. NATIONAL ACADEMY, QUANTICO, VIRGINIA, FROM SEPTEMBER 16, 1981 TO SEPTEMBER 18, 1981.

RESOLVED, that the recommendation of the Chief of Police that Shoji Horikoshi, Department Criminologist, be detailed to attend the Ninth Annual Symposium on Crime Laboratory Development at the F.B.I. National Academy, Quantico, Virginia, from September 16, 1981 to September 18,1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Shoji Horikoshi in a sum not to exceed $358.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

POLICE COMMISSION REPORT

At this time Commissioner Murphy said a scheduled Executive Session Meeting scheduled at an earlier time this date, did not take place.

She then mentioned that she had called for a status report in the issuance of Taxi Permits and asked Officer Lamont Suslow to give a brief report to the Commission.

Officer Suslow said that the application forms for taxi permits are currently with the graphic artist and once the graphic work is done, it will go to the print shop for printing and, thereafter, the newly printed application forms will be sent to the designated number of individuals on the taxi permit list.

He then said the Commission's previous resolution had permitted a total of 19 permits to be granted, which at that time, would have brought the number of permits back to its original number of 711. He continued by saying since that time two more permit holders had died and the Commission amended its resolution to add two more, bringing it to a total number of 21 permits. He said now in a report that he has just prepared for Commissioner Murphy, he said he indicated an additional two permits have now been returned to the city because of the death of a permittee. He said if the Commission would now amend its resolution, the total number of permits available would be 23. If so done, he said, then notices could be sent to 23 applicants.

Commissioner Toler then moved to amend the Commission's Resolution to include those recent numbers of permits coming back to the city.

Commissioner Daly seconded and it was unanimously approved.

Commissioner Daly said that she had been advised that the Department was commencing Truancy Checks and requested a weekly report to the Commission as to where the youngsters are being picked up, their problems and how the program is progressing.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report tonight.

PUBLIC HEARING RELATIVE TO "TAKE BACK THE NIGHT COALITION MARCH" WHICH OCCURRED ON OCTOBER 11, 1980.

Commissioner Murphy then asked the representatives

of the "Take Back the Night Coalition March" to come forward and then apologized for the absence of fellow Commissioners and asked if, because of this, would they prefer to postpone the hearing.

Commissioner Daly said she wanted entered into the record, prior to commencing the proceedings, the legal position of the Commission regarding the hearing tonight. She said the reason for this is it's such an unusual procedure and the Commission wants to insure that it will have the administrative and legal right to hold an administrative hearing if charges are brought against a specific officer.

After receiving legal advise from Mr. Robert Martin, attorney from the San Francisco Police Department's Legal Office to the effect that this hearing would not jeopardize any further actions by the full Commission, Commissioner Murphy said the Commission would proceed with the hearing.

The speakers on this issue were as follows:

Corinne Wick, 243 Holly Park, San Francisco, Ca.

Barbara Hammer

Lani Silver

J. Linder

Melinda Dart

Louise Diedrech

Winifred Cottrell

Captain Victor Macia, Commanding Officer of Central Police Station, also offered testimony on the March planned for this year, September 26, 1981, in the Broadway area, and said that he had been meeting with many of the organizers of the March in the past few days. He said the March is going to be on a Saturday night and that is probably the worst night to have it.

At the conclusion of the testimony, Commissioner Murphy thanked the participants for appearing and said the Commission would take their testimony under advisement and offered hope that the March this year would be a great success.

She indicated that she would let the speakers know the Commission's decision at a later date.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

PUBLIC HEARING ON THE ISSUANCE OF JITNEY BUS PERMITS. (CONTINUED FROM THE MEETING OF JUNE 17, 1981)

Officer Suslow said this hearing tonight is a continuation of the issuance of Jitney Bus Permits from June 17, 1981, on the Downtown Fisherman's Wharf Route. He said at a Commission meeting approximately 2 months ago, the Commission passed a resolution authorizing 6 persons to be contacted to file applications for the jitney permits on that route. He said the Permit Section contacted the six persons, sent them the applications they needed to file and at the present time there are only two applicants in the process stage. He said one individual indicated that he wished to withdraw and the other three were sent letters, at the Commission's request, three weeks ago to indicate to those remaining three parties that the Commission wanted them to come in and file or their applications would be considered withdrawn.

He said one letter was returned unsigned and the other two were signed for but the parties have not as yet contacted the Permit Bureau.

He said it is his understanding that tonight is for new applicants hoping to be heard and awarded jitney permits on the Downtown Fisherman's Wharf Route.

The Commission then passed a motion to include previous testimony in respect to Public Convenience and Necessity to issue the permits for the Wharf Route.

The applicants were called in the following order:

1. Burt Lustig - Absent
   533 Clarinada Avenue #14
   Daly City, CA 94015

2. Eduard Chernyak
   129 Williard North
   San Francisco, CA. 94118

3. Mark Berman
6438 Geary Boulevard #202
San Francisco, CA. 94121

4. Edward Azrilevich
2111-43rd Avenue
San Francisco, CA. 94116

5. Paul Hau
39 Sharon Street
San Francisco, CA. 94114

6. Alexander Dashevcky
1634-44th Avenue
San Francisco, CA. 94122

7. Aleksandr Sheydgant
607-37th Avenue
San Francisco, CA. 94121

8. Gregory Khapchik
1373-29th Avenue
San Francisco, CA. 94122

1A Edmund L. Jung (Inadvertently overlooked by the Permit Bureau.)
315 Wayne Place #110
Oakland, CA. 94606

After hearing testimony of the above applicants, Commissioner Murphy asked if there were any other persons wanting to speak to the matter, and if so, to come forward and introduce themselves.

Three persons came forward and offered their protests to the issuance of permits for the Newly created Downtown Fisherman's Wharf Route.

They were as follows:

Walter O'Donald, on behalf of Para-Transit

Frank Mastro, Spokesperon for the Jitney Association.

Herb Meirs, Secretary representing the Jitney Association. He read a paragraph of a letter his association sent to the Commission, probably too late for tonight's meeting, but he said he would eead that paragraph to clear up a lot of the confusion that they feel among themselves because, obviously, they are not sure of too much of anything this evening.

He then read the following:

"This letter is simply to notify you in writing that the Jitney Owners Association does not support the present proposal before the Commission as we understand it. And neither do we understand the

present fares, route and manner, in which this new route to Fisherman's Wharf will be administered for the simple reason it hasn't been clearly defined to our Association yet, the exact manner in which this new route may influence our present source of income on Mission Street from which we earn our livelihood. This is especially true with the proposal to issue new jitney permits which we feel is not necessary at this time due to a short term trial period of only six months."

He then said the reason they wrote it like that is because they were under the impression that there was a possibility that the Commission could use them and extend the Mission Route and there again they also knew the Commission was going to start another route, but didn't know exactly when or if it had the applicants, that's why perhaps the Commission made that provision.

He then said continuing with the second paragraph, "It is our recommendation that the proposed jitney service to the Fisherman's Wharf area, can be best implemented by a mere extension of the present Mission Street Jitney Route. Hence the jitneys could continue on down Mission Street in an easterly direction until they reach the Embarcadero, make a left hand turn,continue on down to Pier 39 and out to the North Point area where they would stop for a given period of time before returning to the Mission Route."

At this point Commissioner Murphy indicated to Mr. Meir thta the Commission could not settle this tonight and that the Commission did have the letter before them now.

She said she would now ask Officer Suslow of the Permit Bureau to take their letter into consideration along with other comments that were made tonight, check the transcripts of previous hearings on this subject and report back with the information next week.

Mr. Matthew Zaylor then approached the Commission and said there were many violations occurring on the Mission Street Jitney Route and that this was the third time he had been before the Commission with a request that something be done about it.

He then presented a letter to the Commission which Commissioner Murphy read as follows:

"To whom it may concern, I would like very much to direct my question to the full Commission. This is my third time here, 'was hoping and thought the last time I had obtained an honest opinion and promised to do something about the matter. Problem:

Why are we the public ignored so much for our safety? This is supposed to be given to us by the Police Commission. I am talking about the Jitneys that run up and down Mission Street in San Francisco. This body of men and machines are, or was, the last time I knew about it, under the Police Department, and so on it is still. I came to Chief Murphy's Office about four months ago with the same complaint and understandably, he was very busy, so I talked with Officer Friedlander who also was very polite and promised to see that the matter would be taken care of. Complaint: These drivers are hauling 18 to 22 persons in a car which is only insured to handle from 12 to a maximum of 15 persons. Mr. Martindale who used to head the detail would check loads at certain points to see if someone was overloading or not. If so, then the person was given a ticket to see the Department Head who would be the Assistant Chief and would be given a warning the first time, and after that, time off. Now the problem is no one is checking jitneys and as such they are wild. If an accident should happen, and believe me the way some of these fools drive, it could, how do you suppose anyone, the Fire Department, could get all of these people out. If for one minute you doubt me, ride any jitney from Acton to Spear from 7 a.m., to 9:30 and see for yourself or better yet, from Spear about 4 p.m., to 5:30 p.m., outbound to Acton and see how many people are in the car. Hoping very much this is the last time I have to come by before the Commission. With Respect, Very Truly Yours, Matthew Zaylor."

Commissioner Murphy then advised him that the Commission would refer this complaint to the Chief.

PROPOSED ORDINANCE AMENDING SECTION 1017 OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) REGULATING ITINERANT SHOWS. - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER NO. I-7, "DEATH CASES: REMOVAL OF THE BODY." (COPIES SENT TO EMPLOYEE ORGANIZATIONS.) - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER NO. K-1, "PURCHASING PROCEDURE, EXPENDITURE OF FUNDS." CONTINUED FOR ONE (1) WEEK

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

AMENDING CHAPTER VIII, SAN FRANCISCO MUNICIPAL POLICE CODE, BY ADDING SECTION 366.1 THERETO, RELATING TO THE ISSUANCE OF PERMITS FOR ATHLETIC EVENTS CONDUCTED ON PUBLIC STREETS. (CONTINUED FROM THE MEETING OF JUNE 3,1981). - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

SETTING OF DATE FOR DISCUSSION OF ADOPTION OF THE PROPOSED POLICE COMMISSION FINDINGS IN THE MATTER OF ANDREW W. CITIZEN AND DENNIS L. MCCAFFREY - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Toler,Murphy

ABSENT: Commissioners Nelder, Sanchez

SETTING OF DATE FOR DISCUSSION OF THE PROPOSED POLICE COMMISSION FINDINGS IN THE MATTER OF EDWARD COSTANZI AND CURTIS B. DOWLING - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

HEARING OF POLICE OFFICER SYLVIA DAVID, VICE CRIME-NARCOTICS DIVISION - CONTINUED TO SEPTEMBER 9, 1981.

AYES: Commissioners Daly, Toler, Murphy

ABSENT: Commissioners Nelder, Sanchez

The Commission adjourned its meeting at 7:00 p.m.

SECRETARY

9 SEPTEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 9, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

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RESOLUTION NO. 509-81

JOHN LESLIE GRAMENTINE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Leslie Gramentine against the City and County of San Francisco in the sum of $300.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27,1979

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 510-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of $6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of September,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 511-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is

hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of $4,000.00 charging same ot Index Code 580217 as an advance on the Police Contingent Fund for the month of September, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 512-81

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTORS RICHARD CAIRNS AND MICHAEL JOHNSON,VICE CRIMES, NARCOTICS DIVISION, AT THE INFORMANT DEVELOPMENT AND MAINTENANCE COURSE IN SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 28, 1981 TO OCTOBER 2, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspectors Richard Cairns and Michael Johnson, Vice Crimes, Narcotics Division, be detailed to attend the Informant Development and Maintenance Course in Sacramento, California, from September 28, 1981 to October 2, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/ Inspectors Richard Cairns and Michael Johnson, in a sum not to exceed $290.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 513-81

AUTHORIZING ATTENDANCE OF SERGEANT MICHAEL KEMMITT AND ASSISTANT INSPECTOR JOSEPH PIERALDE, VICE CRIMES, AT THE GAMBLING INVESTIGATION COURSE IN SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 28, 1981 TO OCTOBER 2, 1981

RESOLVED, that the recommendation of the Chief of Police that Sergeant Michael Kemmitt and Assistant Inspector Joseph Pieralde, Vice Crimes, be detailed to attend the Gambling Investigation Course in Sacramento, California, from September 28, 1981 to October 2, 1981, be, and the same is hereby approved;and be it further

RESOLVED, that expenses incurred by Sergeant Michael Kemmitt and Assistant Inspector Joseph Pieralde, in a sum not to exceed $290.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 514-81

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTORS THOMAS ARNOLD, BRUCE LORIN AND VICTOR FLEMING, GENERAL WORKS DETAIL, AT A CRIMES AGAINST THE ELDERLY TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 28, 1981 TO OCTOBER 2, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspectors Thomas Arnold, Bruce Lorin and Victor Fleming, General Works Detail, be detailed to attend a Crimes Against the Elderly Training Course at Sacramento, California, from September 28, 1981 to October 2, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspectors Thomas Arnold, Bruce Lorin and Victor Fleming, in a sum not to exceed $290.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 515-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Criminalist) Debbie Wakida) Crime Lab)	$350.00	(Blood Analysis (Seminar, Emeryville, (California, from August 17, 1981 to August 21, 1981.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 516-81

AUTHORIZING ATTENDANCE OF LIEUTENANT WILLIAM SCHEFFLER AND SERGEANTS RICHARD HOLDER, GREGORY CASH AND CORNELIUS CROWLEY, TACTICAL DIVISION, AT AN EXECUTIVE PROTECTION COURSE AT SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 28, 1981 TO OCTOBER 2, 1981

RESOLVED, that the recommendation of the Chief of Police that Lieutenant William Scheffler and Sereants Richard Holder, Gregory Cash and Cornelius Crowley, Tactical Division, be detailed to attend an Executive Protection Course at Sacramento, California from September 28, 1981 to October 2, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant William Scheffler and Sergeants Richard Holder, Gregory Cash and Cornelius Crowley, in a sum not to exceed $290.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 517-81

AUTHORIZING ATTENDANCE OF CHRIS JOHANSEN, ASSISTANT CRIMINALIST, CRIMINALISTICS DIVISION, BE GRANTED PERMISSION TO ATTEND A TRAINING COURSE ENTITLED "INTRODUCTION TO HAIRS AND FIBERS SCHOOL," IN QUANTICO, VIRGINIA, FROM SEPTEMBER 20, 1981 TO OCTOBER 2, 1981.

RESOLVED, that the recommendation of the Chief of Police that Chris Johansen, Assistant Criminalist, Criminalistics Division, be detailed to attend a training course entitled, "Introduction to Haris and Fibers

School," in Quantico, Virginia, from September 20, 1981 to October 2,1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses for subsistence and travel will be paid by the Federal Bureau of Investigation.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO.518-81

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR HARRY WALWYN, JUVENILE DIVISION, AT A JUVENILE LAW ENFORCEMENT OFFICERS' TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM SEPTEMBER 20, 1981 TO SEPTEMBER 25, 1981

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Harry Walwyn, Juvenile Division, be detailed to attend a Juvenile Law Enforcement Officers' Training Course in Sacramento, California, from September 20, 1981 to September 25, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspector Harry Walwyn, Juvenile Division, in a sum not to exceed $445.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez said he just wanted to make one comment and that is about the press and media who did a really good job on the Chief's announcement pertaining to the opening of school. He said he felt this was a key factor because school has opened in the city and some will be operational tomorrow and, he said, it always helps to have the press and the media disseminate information regarding all of the school zones being enforced, speeding in particular, especially around the schools.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report tonight.

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $85,363 TO FUND A PERMANENT 8176 TRIAL ATTORNEY AND 0488 COMMANDER

Deputy Chief Shannon said this request is a result of part of the Commission's decision made at the August 5, 1981 meeting regarding Internal Affairs. He said the reason this request is being initiated at this early date is because it usually takes a couple of months to get everything cleared.

Commissioner Murphy asked if there was any way to include in this request the position of Civilian Investigator.

The Chief said that position oculd not be included until a determination is made of the scope and salary.

The supplemental appropriation request was then approved.

RESOLUTION NO. 519-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $85,363 TO FUND A PERMANENT 8176 TRIAL ATTORNEY AND 0488 COMMANDER.

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of $85,363 to fund the salary and related fringe benefits of one new 8176 Trial Attorney;and reclassification of one Q2 position to 0488 Commander.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez said at this time he would request that item #10 be taken out of order as Deputy Chief Ryan who is here to speak to this tonight, has another meeting to attend.

AMENDING CHAPTER VIII, SAN FRANCISCO MUNICIPAL POLICE CODE, BY ADDING SECTION 366.1 THERETO, RELATING TO THE ISSUANCE OF PERMITS FOR ATHLETIC EVENTS CONDUCTED ON PUBLIC STREETS. (CONTINUED FROM THE MEETING OF SEPTEMBER 2, 1981)

Deputy Chief Ryan said at the instruction of Commissioner Murphy he investigated the major cities of this country and found that New Orleans, La., was the only one that had any such ordinance as the Commission now has before it. He said the ordinance by the City of New Orleans has been challenged in court and has been upheld as being constitutional. He said there are certain regulations contained in the document that are strikingly similar to those of San Francisco, such as, the obtaining of a parade permit, or a permit to hold an athletic event and there is a certain fee levied for policing these events. He said, also, they charge a fee to the point of policing protest marches that occur on the city streets. He said in regards to the last item, a Federal District Judge in New Orleans said that the bottom line is in those kinds of protest there are other means to express your views by way of demonstration that does not involve use of the public streets, therefore, the first amendment rights are not being violated by this ordinance.

He said with the Commission's direction he would go back to the City Attorney and present him with a copy of the New Orleans ordinance, and if the Commission desires, have him draft a proposed ordinance that the Police Department could use here in the city.

Commissioner Nelder said he felt this was a good suggestion and then made a motion to continue the matter for thirty (30) days so that the Deputy Chief can come back to the Commission with all of the answers to allow the Commission to better decide as to how to act upon it.

PUBLIC HEARING ON THE ISSUANCE OF JITNEY BUS PERMITS. (CONTINUED FROM THE MEETING OF SEPTEMBER 2, 1981)

Officer Lamont Suslow brought the Commission up to date as to where this matter stands.

He said last week the Commission heard testimony from 8 applicants for declaration of Public Convenience and Necessity for the Downtown Fisherman's Wharf Route and the Commission was in the process of hearing protestants last week, when the meeting was adjourned.

He then recommended that the protestants be given a chance to give testimony and also anyone else who wanted to speak either for or against the issuance of permits for the Downtown Fisherman's Wharf Route.

Commissioner Sanchez then asked Commissioner Murphy if everyone who desired to speak in protest were heard, and received an acknowledgement that everyone had been heard.

He then said the Commission would proceed with the continuation of the hearing pertaining to the eight applicants plus the original two who applied earlier and any other persons who wished to speak for, or against.

The speakers were as follows:

Mr. Howard Goldstein, who said he was not really opposing it but all he wanted to do was to reassure the Mission Street drivers if this trial period of 6 months on the new route doesn't work out that these permits will not be put on Mission Street.

Mr. Louis F. Jean, Acting president for the Jitney Owners Association, said they wanted an extension of their route from Mission Street to the Fisherman's Wharf Route.

Mr. Nino Andreoli, reaffirmed his position as that being the same as the previous speakers.

Mr. Michael DiPilla, said that the Jitney Owners on Mission Street should go to the Board of Supervisors and ask for an extension of their route.

After listening to the testimony of the various speakers and receiving a recommendation from the Police Department that 8 permits be authorized and issued for the newly established Downtown Fisherman's Wharf Route, Commissioner Murphy moved that Public Convenience and Necessity called for the issuance of 8 new permits for the Downtown Fisherman's Wharf Route.

Mr. Abraham Endzweig requested to speak and said he was the sponsor of this proposal and said he and his people are working quite hard to get this proposal going. He said he would request that the Commission speed up the process in the issuance of those permits because the necessary vans have already been acquired for the prospective applicants, who are ready once the permits are granted to begin operation.

The following resolution was thereafter adopted by the Commission.

RESOLUTION NO. 530-81

FINDINGS AND DECISION OF THE POLICE COMMISSION IN THE HEARING OF APPLICANTS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR OPERATION OF JITNEY BUSES ON THE NEWLY ESTABLISHED FISHERMAN'S WHARF ROUTE.

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of jitney buses on the newly established Fisherman's Wharf Route and the Mission and Third Street Routes in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on May 20, 1981, and hearings continued at intervals until and including September 9, 1981; and

WHEREAS, applicants appeared before the Commission, and presented documentary evidence in support of their applications; and

WHEREAS, various persons testified in opposition to the granting of additional permits and documentary evidence in support of their position, was presented to the Commission; and

WHEREAS, police department staff, at the request of the Police Commission conducted a survey of the prevailing conditions involving jitney bus transportation in the City and County of San Francisco, and submitted documentary evidence to assist the Commission in arriving at its decision; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicant shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, the Commission has determined that since the establishment of the Fisherman's Wharf Route, the number of jitney bus permits as recommended by the Board of Supervisors should be no more than eight (8) in number, for a six-month trial period; therefore be it

RESOLVED, that hearings to determine if public

convenience and necessity exists to issue additional jitney bus permits for the Mission and Third Street routes will be continued to a later date; and be it further

RESOLVED, that the eight (8) jitney bus permits for the recently established Fisherman's Wharf Route shall be granted under, and shall be revocable under, criteria and standards published by the Commission in conjunction with the applicable sections of the San Francisco Police Code.

Applicants who applied at the May 20, 1981 hearing are, as follows:

Kwan Tse, San

Nakagoshi, Candace C.

Wood, Homer

David, Antonio M.

Inghelram, Thomas Joseph

Kwan, Tse San

Wong, Gin Toy

Chan, James H. N.

DeGusman, Cirilo M. Jr.

Cahabit, Leonilo S.

Carrillo, Augusto O.

Carrillo, Mauricio

Quinones, Edgar S.

Applicants who applied at the September 9, 1981 hearing, are as follows:

Burt Lustig

Eduard Chernyak

Mark Berman

Edward Azrilevich

Paul Hau

Alexander Dashevsky

Aleksandr Sheydgant

Gregory Khapshik

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

PROPOSED ORDINANCE AMENDING SECTION 1017 OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) REGULATING ITINERANT SHOWS. (CONTINUED FROM THE MEETING OF SEPTEMBER 2, 1981)

Deputy Chief Shannon said the current ordinance does not give the Chief of Police any leeway in the issuance of permits for Itinerant Shows. He said there has been two cases where the group wanting the show has been a school and the ordinance stated that you could not have an Itinerant Show within 200 feet of the school and it was the school, itself, that wanted the show. He said this new ordinance changes that rule.

Commissioner Sanchez said that there were a number of schools within 200 feet of a facility, or a church, that had been sort of circumvented by some of the Circus Groups coming in and without permits, had gone through a lot of sacrifices trying to get permits, and the decision was that it couldn't be done, he said, but in other parts of the city, like Washington Square, they always have had the Carnival in the past, and this ordinance will clear the way for those by eliminating,in the future, past difficulties if they go through the procedures required by this ordinance.

The ordinance was then unanimously approved.

RESOLUTION NO. 520-81

AMENDING SECTION 1017 OF THE SAN FRANCISCO POLICE CODE AND SECTION 110 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE.

WHEREAS, as presently stated, Section 1017 of the San Francisco Police Code does not allow itinerant shows within specified distances to schools, churches or playgrounds; and

WHEREAS, as presently stated, Section 110 of Part III of the San Francisco Municipal Code does not allow cycloramas and other amusements within specified distances to schools, churches or playgrounds; and

WHEREAS, the Police Department is often asked to issue permits for itinerant shows within these distances by church groups, school groups, etc.; and

WHEREAS, Section 1017 of the San Francisco Police Code does not provide for psoting notices

of public hearings for the issuance of permits for itinerant shows; and

WHEREAS, Section 110 of the San Francisco Municipal Code does not provide for the posting of notices of public hearings for the issuance of permits for cycloramas and amusements; therefore be it

RESOLVED, that the Police Commission hereby requests that the Board of Supervisors adopt the attached proposed ordinances which amend Section 1017 of the San Francisco Police Code and Section 110 of Part III of the San Francisco Municipal Code.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER NO. I-7, "DEATH CASES: REMOVAL OF THE BODY." (COPIES SENT TO EMPLOYEE ORGANIZATIONS.) - (CONTINUED FROM THE MEETING OF SEPTEMBER 2,1981.) - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER NO. K-1, "PURCHASING PROCEDURE EXPENDITURE OF FUNDS." (CONTINUED FROM THE MEETING OF SEPTEMBER 2, 1981.) - CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

SETTING OF DATE FOR DISCUSSION OF ADOPTION OF THE PROPOSED POLICE COMMISSION FINDINGS IN THE MATTER OF ANDREW W. CITIZEN AND DENNIS L. MC CAFFREY. (CONTINUED FROM THE MEETING OF SEPTEMBER 2, 1981.) - AND SETTING OF DATE FOR DISCUSSION OF THE PROPOSED POLICE COMMISSION FINDINGS IN THE MATTER OF EDWARD COSTANZI AND CURTIS B. DOWLING. (CONTINUED FROM THE MEETING OF SEPTEMBER 2, 1981.)

Commissioner Sanchez said these items will be set for an Executive Session Meeting next week with

Deputy City Attorney Michael Killelea in attendance.

RESOLUTION NO. 522-81

AUTHORIZING ATTENDANCE ON BEHALF OF THE SAN FRANCISCO POLICE DEPARTMENT THE GIFT OF A HORSE FROM MR. NICHOLAS GONZALEZ FOR USE BY THE MOUNTED UNIT.

RESOVLED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept on behalf of the City and County of San Francisco, the gift of a horse form Mr. Nicholas Gonzalez for use by the San Francisco Police Department's Mounted Unit.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 524-81

REQUEST OF POLICE OFFICER EVEN T. LAMMERS, SOUTHERN POLICE STATION, TO APPEAL TWO (2) WORKING DAYS' SUSPENSION - APPROVED

WHEREAS, a communication was received from Cornelius P. Murphy, Chief of Police, officially notifying the Polcie Commission of the suspension of Police Officer Even T. Lammers, Southern Police Station, for a period of two (2) days without pay, commencing at 0001 hours, August 9, 1981, and terminating on August 10, 1981 at 2400 hours, for permitting a prisoner to escape; and

WHEREAS, a communication was received from Police Officer Even T. Lammers, Southern Police Station, requesting a hearing before the Police Commission in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department to appeal the disciplinary suspension for a period of two (2) days by Cornelius P. Murphy, Chief of Police; therefore be it

RESOLVED that the request of Police Officer Even T. Lammers, Southern Police Station, for a hearing before the Police Commission to appeal his suspension by Chief of Police Cornelius P. Murphy, for a period of two (2) days, commencing at 0001 hours, August 9, 1981, and terminating at 2400 hours on August 10, 1981, be, and the same is hereby set for Wednesday, September 23,

1981 at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REQUEST OF MR. BENJAMIN PEREZ FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS.

Mr. Perez was absent, however, upon recommendation of Officer Suslow of the Permit Bureau, Mr. Perez' request for an increase of his jitney bus passenger capacity was granted.

RESOLUTION NO. 523-81

REQUEST OF MR. BENJAMIN PEREZ FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED

WHEREAS, Mr. Benjamin Perez requested by letter a hearing beofre the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Deaprtment's Permit Bureau regarding Benjamin Perez' capability of increasing his passenger capacity, and of having purchased the appropriate amount of insurance to cover such increase approves Mr. Perez' request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Benjamin Perez for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 525-81

POLICE OFFICER DONALD R. RAMIREZ, RICHMOND POLICE STATION.

WHEREAS, charges of violating the Rules and

Procedures of the San Francisco Police Department were filed against Police Officer Donald R. Ramirez, Richmond Police Station, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor to such an extent that he was unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to comply with the provisions of California Vehicle Code Section 20002(a) after involvement in an automobile accident. (Violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Bringing discredit upon the San Francisco Police Department by having been arrested for violating Sections 20002(a)(leaving the scene of a property damage accident) and 23102(a) (Driving under the influence of an alcoholic beverage) of the California Vehicle Code. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Donald R. Ramirez, Richmond Police Station, is set for Wednesday, September 16, 1981, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVERSION OF PATROL SPECIAL BEAT NO.66 TO LUCIAN M. VANCE III: SALE OF PATROL SPECIAL BEAT NO. 66

TO PATROL SPECIAL OFFICER CLIFF STEVENS.

Mr. Lucien Vance said the previous purchaser of his beat is currently in default and although several attempts have been made to enable her to continue the operation, she still remains in default and has been so for about four (4) months. He said the contract was written so that if she could not comply, the beat ownership would revert back to him.

He said Officer Stevens has indicated an interest in the beat and that he (Vance) did not wish to become the operator of Patrol Special Beat No. 66 again. Therefore, he would like to sell the Beat to Patrol Special Officer Stevens.

The Commission then adopted the following resolutions:

RESOLUTION NO. 526-81

PATROL SPECIAL OFFICER JACQULYN HAMILTON - REVOKED

RESOLVED, that the appointment of Patrol Special Officer Jacqulyn Hamilton, Beat No. 66, Taraval Police District, be, and the same is hereby revoked, she having failed to live up to the conditions of her contract with former beat owner Lucian M. Vance III.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 527-81

PATROL SPECIAL OFFICER LUCIAN M. VANCE III - APPROVED

RESOLVED, that Patrol Special Officer Lucian M. Vance III, be, and he is hereby re-appointed a Patrol Special Officer for Beat No. 66, Taraval Police District; said appointment effective September 9, 1981, he having had Beat No. 66 reverted back to his ownership as Patrol Special Officer Jacqulyn Hamilton failed to comply with the terms of the contract sale of Beat No. 66.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 528-81

PATROL SPECIAL OFFICER LUCIAN M. VANCE III - REVOKED

RESOLVED, that the appointment of Patrol Special Officer Lucian M. Vance III, Beat No. 66, Taraval Police District, be, and the same is hereby revoked effective September 9, 1981, he having sold his beat to Patrol Special Officer Cliff Stevens.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 529-81

PATROL SPECIAL OFFICER CLIFF STEVENS - APPROVED

RESOLVED, that Patrol Special Officer Cliff Stevens is hereby appointed a Patrol Special Officer for Beat No. 66, Taraval Police District; said appointment effective September 9, 1981, Patrol Special Officer Cliff Stevens having purchased Beat No. 66 from Patrol Special Officer Lucian M. Vance III.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF POLICE OFFICER SYLVIA DAVID, VICE CRIMES-NARCOTICS DIVISION

The hearing of Police Officer Sylvia David, Vice Crimes-Narcotics Division, was called, it having been set for this date. Police Officer Sylvia David was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to truthfully and without evasion answer questions propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Neglect of Duty and engaging in conduct which tends to subvert the good order, efficiency, discipline and brings discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Sylvia David appeared in person and was represented by Jerome A. DeFilippo, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the charges was waived.

Motion was made by the attorney for the Defense to dismiss the entire complaint against his client.

A motion was then made by Mr. Robert Martin on behalf of the Prosecution to remand the matter back to the Chief of Police where he would deal with it administratively.

Both motions were denied.

Opening statements were made by both the Prosecution and Defense attorneys.

The following-named witnesses appeared for the Prosecution, were duly sworn and testified:

Corbin T. Benfield
65 Noe Street
San Francisco, California

Daniel Ramirez
1318 California Avenue
San Pablo, California

Sergeant Victor Rykoff
Internal Affairs Bureau

The following exhibits were entered into

evidence by the Defense:

Exhibit A - Internal Affairs Bureau Statement of Complainant and Arrest Card.

Exhibit B - City and County Claim Register; Claimant, Benfield, Corbin, dates of 11-20-80, 2-20-81, 2-27-81.

Exhibit C - Photograph of Police Officer Joseph Brodnik.

Exhibit D - Photograph of Benfield, Corbin.

Exhibit E - Medical report on Police Officer Sylvia David; report dated February 9, 1981 by Dr. James Y. Soong, M.D.

The following exhibit was entered into evidence by the Prosecution:

Exhibit 1 - Medical report dated December 15, 1980 re:"Corbin Benfield" from H. Stanley Guest, M.D., of Alameda Hospital.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 521-81

DECISION - HEARING OF POLICE OFFICER SYLVIA DAVID, VICE CRIMES-NARCOTICS DIVISION

WHEREAS,on June 11, 1981, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Sylvia David, as follows:

SPECIFICATION NO. 1

a) At all times mentioned herein, Sylvia David was a Police Officer of the San Francisco Police Department assigned to the Narcotics and Vice Crimes Unit;

b) On or about November 20, 1980 at approximately 2310 hours, Officer David participated in the arrest of Mr. Corbin T. Benfield in the vicinity of 18th and Castro Streets in the City and County of San Francisco;

c) Officer David, in the company of other officers, transported Mr. Benfield to the Narcotics and Vice Crimes Unit at 850 Bryant Street;

d) While Mr. Benfield was handcuffed and in a detention cell at the Narcotics and Vice Crimes Unit, Officer David, accompanied by an unidentified male conducted a search of Mr. Benfield's person;

e) Shortly after the search, the unidentified male returned to the detention cell alone and physically assaulted Mr. Benfield by kicking and/or punching Mr. Benfield in the groin, face, throat and ribs;

f) Mr. Benfield filed a complaint with the Internal Affairs Bureau regarding his treatment while at the Narcotics and Vice Crimes Unit;

g) Two interviews of Officer David by a member of the Internal Affairs Bureau assigned to investigate the complaint of the alleged assault on Mr. Benfield were conducted;

h) During the aforementioned interviews, Officer David was asked the identity of the person accompanying her during the above referred to search and Officer David responded that she could not recall who accompanied her at that time;

i) The above conduct by Officer David, which constitutes evasion and/or untruthful answer to questions asked by Sgt. Victor Rykoff is a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department which states that a member:

> "2.49 "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any other matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 2

a) Each and every allegation contained in Paragraphs (a) through (h) of Specification No. 1, are hereby incorporated by reference as though fully set forth herein;

b) This conduct by Officer Sylvia David, in evasively answering questions propounded and withholding information necessary to identify the perpetrator of an assault and battery on a handcuffed prisoner is in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

> "2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Baord."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 9, 1981, and that on Wednesday, September 9, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Sylvia David, Vice Crimes, Narcotics Division, as contained in Specification No. 1, violation of Section 2.49 and Specification No. 2, violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Sylvia David has not violated Specification No. 1, Section 2.49 and Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that said charges contained in Specification No. 1, Section 2.49 and Specification No. 2, Section 2.13, be, and the same hereby dismissed; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Sylvia David, Vice Crimes, Narcotics Division, is, and shall be, hereby exonerated.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Recesses taken during the hearing of Police Officer Sylvia David:

1955 hours to 2005 hours.
2111 hours to 2118 hours.
2229 hours to 2240 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

The Commission adjourned its meeting at 10:47 p.m.

SECRETARY

16 SEPTEMBER 1981 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in the chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 16, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

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Commissioner Sanchez presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoining for the regulation of traffic on the public streets, be, and the same are hereby approved:

241 JONES STREET - PADRE APARTMENT

a) At 241 Jones Street, install a 22' white zone, extending from 2' to 24' north of south property line.

751 JACKSON STREET - CHONG KONG TRADING CO.

a) At 751 Jackson Street, install a 22' yellow zone, extending from 3' to 25' west of Rose Street.

b) Meter #725 to be removed.

530 BUSH STREET - 530 BUSH BUILDING

a) At 530 Bush Street, install a 22' white zone, extending from 46' to 68' west of east property line.

b) Revoke existing STLZ 22' zone, and remove meter #514.

2300-3rd STREET - CO. C. POTRERO POLICE STATION - REVOKED

a) At 2300-3rd Street, revoke existing 80' red zone, extending from 40' to 120' south of 20th Street to driveway. (Leave tips of driveway red.)

2235 LAGUNA STREET - LEVI - REVOKED

a) At 2235 Laguna Street, revoke existing 36' white zone, extending from 12' to 48' north of south line of building.

1545 DIVISADERO STREET - S.F.P.D. - REVOKED

a) At 1545 Divisadero Street, revoke existing 84' white zone, extending from 36' to 120' south of Post Street.

2315 POST STREET - S.F.P.D. - REVOKED

a) At 2315 Post Street, revoke existing 45' white zone, extending from 15' to 60' west of Divisadero Street property line.

2550-23rd STREET - S.F.P.D. - REVOKED

a) At 2550-23rd Street, revoke existing 40' white zone, extending from 6' to 46' east of the west crosswalk at Utah Street.

2198 JACKSON STREET - JACKSON COURT - DENIED

a) At 2198 Jackson Street, install a 22' white zone, extending from 44' to 66' east of west property line. DENIED.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendations of the

Traffic Bureau on the revocation of 307 feet of red and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 531-81

LOWELL S. HOUGH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lowell S. Hough against the City and County of San Francisco in the sum of $123.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 2, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 532-81

MILES T. MILLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Miles T. Miller against the City and County of San Francisco in the sum of $347.46 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 15, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 533-81

BARBARA MONTANO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Montano against the City and County of San Francisco in the sum of $827.49 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 6, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 534-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Inspector George Bodrov General Works Detail	$380.00 each	(Introduction to (Crime Analysis, at (Irvine, California, (from August 10,1981 (to August 14,1981.
Inspector David Bowman General Works Detail		
Inspector Armand Gordon General Works Detail		

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 535-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers

submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Police Officer David Fontana Tactical Division	$291.50 each	(Special Weapons (and Tactics Basic (Course, at Santa (Rosa, California, (from August 17,1981 (to August 21,1981.
Police Officer Daniel McDonagh Tactical Division		
Police Officer Jere Williams Tactical Division		

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 536-81

PERMISSION TO ACCEPT AN AWARD - APPROVED

The request of Captain Michael A. Brush, Support Services Bureau, Communications Division, to accept the National Law Officer of the Year Award from the Voiture Nationale La Societe Des 40 Hommes et 8 Chevaus, at their National Convention in St. Louis, Missouri, from September 23, 1981 to September 26, 1981, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 537-81

AUTHORIZING ATTENDANCE OF SERGEANT PETER LIBERT AND POLICE OFFICER MARY PETRIE, CRIME PREVENTION DIVISION AT THE CRIME PREVENTION TRAINING CONFERENCE AT SAN DIEGO, CALIFORNIA, ON OCTOBER 1, 1981 AND OCTOBER 2, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Peter Libert and Police Officer Mary Petrie, Crime Prevention Division, be detailed to attend the Crime Prevention Training Conference at San Diego, California, on October 1, 1981 and October 2,1981, be, and the same is hereby approved; and be it

RESOLVED, that expenses incurred by Sergeant Peter Libert and Police Officer Mary Petri, in a sum not to exceed $242.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 538-81

AUTHORIZING ATTENDANCE OF SERGEANT PHILIP DUNNIGAN MISSION POLICE STATION, AT THE ANNUAL CONFERENCE OF THE INTERNATIONAL SOCIETY FOR INVESTIGATIVE AND FORENSIC HYPNOSIS IN SAN JOSE, CALIFORNIA, FROM OCTOBER 6, 1981 TO OCTOBER 9, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Philip Dunnigan, Mission Police Station, be detailed to attend the International Society for Investigative and Forensic Hypnosis in San Jose, California, from October 6, 1981 to October 9, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Philip Dunnigan, in a sum not to exceed $314.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 539-81

AUTHORIZING ATTENDANCE OF THIRTY-SIX (36) PERSONNEL OF THE FIELD OPERATIONS BUREAU, PATROL DIVISION, AT A FIELD TRAINING OFFICER SEMINAR AT SANTA CRUZ, CALIFORNIA, FROM OCTOBER 11, 1981 TO OCTOBER 16, 1981

RESOLVED, that the recommendation of the Chief of Police that thirty-six (36) personnel of the Field Operations Bureau, Patrol Division, be

detailed to attend a Field Training Officer Seminar at Santa Cruz, California, from October 11, 1981 to October 16, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the thirty-six (36) personnel of the Field Operations Bureau, Patrol Division, in a sum not to exceed $10,000.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund. P.O.S.T. will reimburse the Department 30% of trainee salaries for the period of the seminar.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

POLICE COMMISSION REPORT

Commissioner Sanchez: "Let the record show that the Police Commission met in Executive Session this afternoon at 1600 hours to review litigation in personnel matters with our attorneys. No vote was taken.

Any other items under the Police Commission Report?"

Commissioner Murphy: "I just have one comment to make. We have a memorandum here from Lieutenant Thorsen to Commander Canepa reporting on the efforts made by the Bayview Task Force on the Citizens Action League concerns. I think it is an excellent report. It does indicate that they will have no contact with the department staff and only want to meet with the Commission. I think it is very much too bad that they will not meet with anyone else and try to solve some of their problems. I know they make a public record this way but I think it's unfortunate that they do, I know that the group is a member of a statewide organization: the Citizens for Economic Development or something like that. It's a Tom Hayden group and this is their tactic, usually, and I don't think we need to worry too much more about them. They don't want any help, really."

Chief Murphy: "Commissioner, at the meeting approximately 6 weeks ago, you had requested a monthly up-date, do you still want that report to come then?"

Commissioner Murphy: "Well, I would say that if there is anything that develops, yes, but if it's just going to be some more of the same, if they don't want to meet with anybody except the Commission, or the Chief, and they want to make the same demands that they want 20 officers out there irrespective of what is needed, (they may even need 40 as far as that's concerned) but they want 20, then I don't think there is any point in having a report of that all the time. I think that is just busy work for the unit."

Chief Murphy: "Well, I think we will continue the efforts of the Task Force to try to work with the group and whether we work with them or not we will continue to provide police services in the area and do the best we can under the circumstances, and then, periodically, we will up-date the Commission on what we are doing."

Commissioner Murphy: "If there is any development there. I think that is satisfactory as far as I am concerned, I don't know about the rest of the Commission."

Commissioner Sanchez: "Fine, are there further comments on this item? Commissioner Nelder?"

Commissioner Nelder: "The matter which developed during the week where two women police officers took 3 or 4 arrested people to the County Jail and was reported publicly that it was necessary for the women police officers to search those male prisoners."

How in the world was that allowed to develop, having in mind that back even when I was in the Baord of Supervisors and then Chief Scott said yes to the request by the sheriff that 'Don't worry, we can take this over. We can handle it,' and we finally said yes. In fact, I supported that and voted for it believing that they could accept the problems of arrested people, and I can tell you in 30 years that kind of problem never, ever developed before, so why would that develop now? Why wouldn't the sheriff be able to search those prisoners rather than have those two lady, women officers do that? I have to say that I think it is totally unfair for a person arrested to lose his or her idgnity and I also think it's totally unfair for an officer, male or female, to lose his or her dignity by this kind of conduct. Chief, is there an investigation which would clear that up?"

Chief Murphy: "Contrary to what has been reported in the press, we are still meeting and negotiating with the Sheriff's Department on that particular procedure. Our position is Commissioner, that if we

were in fact running the prison, the city prison, that we, in factr, accepting those prisoners, would want to search them ourselves rahter than relying on the search of another agency. I'd be more comfortable if I were running the prison and my police officers were searching rather than the people bringing them in. The fact of the matter is that in the booking process now we are doing about 90% of the Sheriff's work before the person even gets up to the prison. We've completely filled out all of the booking cards, the transport cards, which is, all of that should rightfully be done at the booking counter by the Sheriff. We are going to continue to meet with the Sheriff and try to resolve these differences. Unfortunately, this happened, it could have been avoided by a simple application of some common sense on everybody's part up there. On the part of the officers, on the part of the Lieutenant in charge of the City Prison, and the deputies up there, it could have and should have been resolved without this particular type of incident happening. The supervisor from the station should have interjected himself into it and some arrangement should have been made. It is unfortunate it happened. I think we'll learn from it and we'll correct the procedures and we'll go on from there."

Commissioner Nelder: "Well, you know, I know that you've taken prisoners to the State Prison and I have too and there is no way that the San Quentin Officials would take your and my word for a person being searched."

Chief Murphy: "That's correct. And that's our position, department's position with the Sheriff in these meetings and negotiating that we are having with them now is that they are, we'll bring the prisoners in and we'll assume responsibility up to that point and then it's your responsibility to search the prisoners and that's the position that we are going to take with the Sheriff's Department. I think we'll be able to resolve that."

Commissioner Nelder: "Thanks Chief."

Commissioner Sanchez: "I would like to follow up on that too if I might. This is still being reviewed by both department's, is that correct?"

Chief Murphy: "Yes sir."

Commissioner Sanchez: "And the whole incident per se is still being reviewed pertaining to either any action, recommendations or whatever. I guess also I've been asked I know, some of the other Commissioners have too, about if in fact a situation

like that happened, which did happen, it's an isolated case, but it did happen. On sight there, weren't there other senior officers either from the department or from the Sheriff's Office? You said that......"

Chief Murphy: "Well, from the Sheriff's Department there was a commissioned officer or lieutenant in charge."

Commissioner Sanchez: "There was a commissioned officer then."

Chief Murphy: "Yes, and it was at his order that the girls, the women police officers did the searching. I don't think that was appropriate under the circumstances."

Commissioner Murphy: "It certainly wasn't."

Commissioner Sanchez: "I would think not Chief. I was asked that and I have assumed that basically we had no senior officer there but yet when you read the article per se and check out, you find that in fact there was a commissioned officer there from the Sheriff's Department, and when an order is given whether from our staff, whatever, you assume that you follow that order unless told otherwise and that is where I think the clarification and recommendations have to be spelled out, so no way is the department held liable either. But more importantly, I think as, basically, Commissioner Nelder said that if affects both the prisoner and our own staff who have responsibility for transporting prisoners there and then what happens, you know once the prisoners are turned over, basically, does our responsibility cease at that initial point, or are we responsible even though it's filled with Sheriff's Staff, including a commissioned officer, and I think these are questions that have to be resolved constructively."

Chief Murphy: "Those are the issues that we will resolve and as we proceed with that, I'll report to the Commission."

Commissioner Murphy: "What is the position of the women now? What are they doing about this? Anything?"

Chief Murphy: "No, as far as I know they have submitted their report to their commanding officers and in turn submitted it to Field Operations and they are now in the process of meeting with the Sheriff."

Commissioner Murphy: "Now, I see, so they have no other moves to make at this particular time?"

Chief Murphy: "No, they haven't."

Commissioner Nelder: "Then you will submit a report to us when it's concluded."

Chief Murphy: "I'll report back to the Commission probably at the next Commission meeting and the resolution to it."

Commissioner Nelder: "I think that it was totally unfair to the young officers and I have to say that I don't know that whole story because you haven't submitted it, but from what I did gather publicly, I certainly am totally on the side of the women police officers. I think that there was an indication that they acted badly and I couldn't find that really."

Chief Murphy: "I don't see that there either, I would say that they should have pursued a little further with their superior officers,and flat out refused to search the prisoner, and then let their supervising officer, sergeant or lieutenant, or whatever the case may be, resolve it at that level and if necessary, send some additional person up to the City Prison to make the search."

Commissioner Nelder: "O.K. Chief."

Chief Murphy: "Thank you."

Commissioner Sanchez: "Fine, further comments under this agenda item?"

Commissioner Daly: "I have one question."

Commissioner Sanchez: "Commissioner Daly."

Commissioner Daly: "It would be nice if we could have kind of a report on how the Truancy Program is working and how many kids are being picked up, and if they are going back to school."

Chief Murphy: "Okay, we are still meeting with Barbara Cohen of the School Department, there is another meeting scheduled for next week for what training is going to be given to the officers who are involved in it and I can also report back on that."

Commissioner Daly: "Thank you."

Commissioner Sanchez: "I would like to follow up on this one too, because I had forgotten all about that one, and there has been numerous concerns and calls from both sectors. Basically, that has not been finalized as far as we know. The Department is still working with the School Department in order to insure that both their Staff and our Staff understand what the ground rules are, etcetera. I just want to throw this out that a number of years ago the School Department had Truant Officers, many, many Truant Officers assigned to them. And then besides that they also had many, many Counselors and teachers who were assigned to so-called street patrol during all class activities whereby, as an example, during the regular school day you would have some teachers and counselors who would actually be out there walking around and making sure that the kids, in fact, were inside. You see very little of that today in San Francisco with the exception of a few schools. I guess what I am saying is that it is a two-way street, basically, the District has maintained all Staff, all certified Staff, none have been laid off. In some schools there are more Staff than kids and I hope that in the discussions, perhaps they may take a look at how they might utilize some of their excess Staff to insure that, basically, these problems in the neighborhoods, in the particular neighborhoods aren't in existence. It's a two-way street and that's what I wanted to share that, basically, it isn't, per se, a police problem, it's a school community problem that everybody should be involved with and understand and know what, in fact, will happen when A happens, or B happens, and it's going to be true whether you go to Galileo, or whether you go to Lowell. It's not just going to be from Mission, or Woodrow, and that's where some of the kids have the idea that it's only going to be schools in the Bayview Hunterspoint, and the Mission, where this is going to come down, and to me it's one of all comprehensive High Schools, and Jr. High Schools, and Elementary Schools, it isn't just certain segments of the City, and this has to be understood, I think clearly, also. Commissioner Nelder?"

Commissioner Nelder: "In line with that Chief, I was talking to Judge Harry Low and I am not totally conversant with this, but it seems like some members of the Board of Supervisors are pushing sort of a satellite program where there would be kids booked in at different houses for offenses that were committed and he is really not in favor of that, and he said what is the police department's position? I told him I didn't know, but the little bit that he did tell me it sounded like it would attract every runaway kid in the country to come To San Francisco if that's the way they were going to handle it, because you andI both know that back in the 60's when

the Hippie Kids came here the problem got too big for us. We had 10,000 runaway kids out there in the Haight Ashbury and we simply couldn't cope with it.

Do they contact you on something like that?"

Chief Murphy: "Yes, I've talked to Judge Low about this issue and our position is the same as his, and by law we are required to turn over any offender to the Probation Officer. We can't take them out to any other facility. So our position is, by law, we are required to turn anyone over to the Probation Department and that's what we are going to do. We are totally in line with Judge Low's feeling on the matter."

Commissioner Sanchez: "Further items under the Commission's Report? If not, we can move the agenda. Sergeant McNaughton?"

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he only had one item tonight and said he would like to introduce Sergeant Michael Pera, who is the new Public Affairs Officer, who is taking over the responsibility from Officer Henry Friedlander, who had done and outstanding job and who will probably be moving on to the Academy, or other suitable assignment in the Department. He said Mike Pera has a good background in the Department. He is a Sergeant of Police, Assistant Inspector, he has a good background in Patrol, in the Operation Center and working in the Bureau of Inspectors. He said he is well known and a highly respected member of the Department and will be assuming the function of the Public Affairs Office.

Commissioner Murphy then asked if he had any experience with dealing with the media?

Sergeant Pera said that while working in the Operation Center part of his function was to deal with the News Media during other than normal business hours.

Commissioner Nelder said he would like to take the opportunity to welcome Sergeant Pera aboard but he would also like to acknowledge the fact that Officer Friedlander has done an outstanding job.

He said at this time he would make a motion commending Officer Friedlander in that he has always been on the ball, always withstanding the heat, and felt that Officer Henry Friedlander did an outstanding job.

He also stated to Sergeant Pera that he hoped he will do the job as well as Officer Friedlander.

He then continued, and speaking to Officer Friedlander, offered him the Commission's blessings and good wishes and thanked him for a job well done.

Commissioner Daly in seconding the motion, said thanks and that the Commission would miss him.

Commissioner Sanchez said he would also like to speak to the motion and that in giving the complexities of the Police Department in what has been going on over the past year and one half, Officer Friedlander has really done a heroic job above and beyond, and speaking with the spirit of the Commission he does really and sincerely thank hom for a job well done. He said he also believes that Sergeant Pera will do an outstanding job.

The motion was then unaimously passed.

PUBLIC HEARING ON DEPARTMENT GENERAL ORDER NO. I-7, "DEATH CASES: REMOVAL OF THE BODY."

Deputy Chief Shannon said this order was requested by the Coroner Dr. Boyd Stephens. He said it has been reviewed by him and by the Homicide Detail and there is no opposition to it, and he recommended that it be approved.

Commissioner Daly then moved for approval, it was seconded by Commissioner Murphy and unanimously approved.

RESOLUTION NO. 540-81

GENERAL ORDER NO. I-7, "DEATH CASES: REMOVAL OF THE BODY." - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order No. I-7, "Death Cases: Removal of the Body."

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PUBLIC HEARING ON DEPARTMENT GENERAL ORDER NO. K-1, "PURCHASING PROCEDURE, EXPENDITURE OF FUNDS."

Deputy Chief Shannon said this order was requested by the Department's Fiscal Unit because there was no written procedure on how purchases by different units should be handled. He said it has, on occasion gotten a little out of hand and the Department was paying for things that the Department might have had in stock.

He said the order is just to notify members of the proper procedure to follow when something has to be purchased.

Commissioner Murphy moved for approval, it was seconded by Commissioner Daly and then unanimously approved.

RESOLUTION NO. 541-81

GENERAL ORDER NO. K-1, "PURCHASING PROCEDURE, EXPENDITURE OF FUNDS." - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order No. K-1, "Purchasing Procedure, Expenditure of Funds."

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez said before the Commission proceeds with the awards,a few comments would be made by the Commission.

He said at this point he would turn the microphone over to Commissioner Daly who had the opportunity to Chair the Awards Committee Meeting which granted awards to those persons who are here to receive them tonight.

CommissionerDaly said this function is the most rewarding part of being a Police Commissioner. She said in this particular meeting they awarded 9 Silver Medals, not only for acts of bravery and courage, and life saving, but also other awards for excellent police work.

She said this city really appreciates good police work, investigations as well as rescues, which those in attendance will hear about tonight. She said an example of that is the quick apprehension of the suspect in the Polk Street stabbing that just occurred last Sunday night.

She said throughout the city in the last couple of days she has heard repeatedly how amazing and how good that was and how much it really is appreciated.

She said speaking as a citizen for the city, we also appreciate this department for the day in and day out pounding of the beat, and the stress that comes from that not just at the moments when lives are saved, or a brillant solution is found.

She said to the officers; "We appreciate your families and your loved ones who have to support you when you go out every day and put your lives on the line." She said, it is known that it is the toughest job in the world and, "we appreciate the quality and the character of the personnel in this department's men and women."

She then said she would just like to thank all of the recipients for being such excellent representatives of the San Francisco Police Department.

Commissioners Nelder,Murphy and Sanchez then joined in on these remarks and the Award recipients were called as follows:

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Department were presented Medals of Valor and Certificates at the Commission Meeting by Commissioner Daly:

Sergeant Michael O'Connell....Silver Medal

Police Officer Kenneth J. Mathis......Silver Medal

Police Officer Paul M. Sanchez......Silver Medal

Inspector John S. Sterling....Silver Medal

Inspector Richard R. Weick....Silver Medal

Police Officer Beth P. Dulay..Silver Medal

Police Officer Lois Kwan-Leong......Silver Medal

Police Officer Johnny Velasquez....Silver Star

Police Officer William D. Canning......Bronze Medal

Police Officer John P. Carroll......Bronze Medal

Police Officer Michael P. Collins......Bronze Medal

Police Officer John A. Mino...Bronze Star

Police Officer Richard D. Reyes........Bronze Medal

Police Officer Robert A. Srock........Bronze Star

Police Officer Gary P. Delagnes......Bronze Star

Police Officer Daniel R. Toomey........Bronze Star

Police Officer Rod M. Nakanishi.....Bronze Medal

Police Officer David W. Horton........Bronze Star

Police Officer Marshall E. Wong..........Bronze Medal

Commissioner Sanchez was excused after presentation of the awards.

AMENDING THE SAN FRANCISCO MUNICIPAL POLICE CODE, PART II, CHAPTER VIII, AND THE SAN FRANCISCO MUNICIPAL CODE, PART III, TO ESTABLISH A REVISION OF POLICE PERMIT FILING AND LICENSE FEES.

Officer Farrell Suslow said this proposal is either amending, adding or repealing a total of 296 Ordinances within the Municipal Code, Part III and the Municipal Police Code. He said there has been no change in the actual content of the regular law and that the sole aim of the entire amendment is two part.

Number one he said is to increase the fees, both the license fees and the permit fees as they have existed over the past many years and bring them in line with current cost to account for inflation.

He said secondarily they moved all of the individual fees out of their various sections and then have a chart so that in each subsequent year, instead of re-writing 296, it would be a simple matter ust to update each fee for each year as inflation goes up.

Commissioner Murphy said she did not believe the Commission would pass upon this tonight because other Commissioners, absent at this time, should take a look at it. She said also the Commissioners in attendance has not had a chance to look at it with the information in mind that Officer Farrell has just revealed.

She said, therefore, the Commission would continue it for one week.

STATUS REPORT IN THE MATTER OF POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

The Commissioners read into the record Mr. George Walker's letter of September 9, 1981 and because of that Commissioner Nelder said, Mr. Walker on behalf of Mr. Senhaux was making this request so he would recommend that it be set for the 20th of September, 1981.

Mr. Bob Martin of the Legal Office, said that the rule which had been previously discussed regarding the 30 day requirement for Leave of Absence Request, has been amended to 90 days, now, by his calculations, the Officer has until October 15th before he must request a Leave of Absence.

"Law Offices of
George G. Walker and Arthur Andreas
One Jackson Place
633 Battery Street
San Francisco, California 94111
421-8911

September 9, 1981

San Francisco Police Commission
Attn: Lt. Willy E. Frazier
850 Bryant Street, Suite 505
San Francisco, CA 94103

Re: Hearing of September 15, 1981
LUCIEN R. SENHAUX

Dear Lt. Frazier:

Reference is made to my letter to you of August 11, 1981 wherein a continuance of the hearing set for August 12, 1981 was requested

and subsequently granted.

For the same reasons stated in prior correspondence, I request a continuance of the September 15th hearing. Please advise.

Very truly yours,

s/
GEORGE G. WALKER

GGW:mc"

It was then continued to the 30th of September.

RESOLUTION NO. 542-81

STATUS REPORT IN THE MATTER OF LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

WHEREAS, the status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Statoin, was called, it having been set for this date; and

WHEREAS, a communication was received from Mr. George G. Walker, attorney for Police Officer Lucien R. Senhaux, requesting a continuance in this matter; therefore be it

RESOLVED, that a status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Station, is hereby set for Wednesday, September 30, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER DONALD R. RAMIREZ, RICHMOND POLICE STATION

Mr.Bley appeared and requested that this matter be set for hearing on October 21st.

RESOLUTION NO. 543-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER DONALD R. RAMIREZ, RICHMOND POLICE STATION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Donald R. Ramirez, Richmond Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Donald R. Ramirez, that the date for the hearing before the Police Commission be set for October 21, 1981; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Donald R. Ramirez, is set for Wednesday, October 21, 1981 at 5:00 pm., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

HEARING OF PATROL SPECIAL OFFICER RAYMOND A. ADKINS, MISSION POLICE DISTRICT

Mr. Bley said because of the work load that legal is under, that he and Mr. Martin has agreed, and with the permission of the Commission, request the matter be continued to the 28th of October.

RESOLUTION NO. 544-81

HEARING OF PATROL SPECIAL OFFICER RAYMOND A. ADKINS, MISSION POLICE DISTRICT

WHEREAS, the hearing of Patrol Special Officer Raymond A. Adkins, Mission Police District, was called, it having been set for this date; and

WHEREAS, it was agreed upon by Mr. Stephen Bruce Bley attorney for Patrol Special Officer Raymond A. Adkins, and the Police Commission, that the matter be continued until October 28, 1981, because of the amount of Discovery to be reviewed; therefore be it

RESOLVED, that the request for a continuance of the hearing be, and the same is hereby approved and continued to Wednesday, October 28, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Stephen Bley: "I received a telephone call from Lieutenant Frazier in response to Mr. Killelea regarding the findings in the Dowling-Costanzi/Citizen-McCaffrey case; and I was informed that there was supposed to be an Executive Session, and I was to be provided with the findings."

Commissioner Murphy: "I am sure Mr Killelea will provide you with those findings. We did make some decisions tonight and he hasn't, of course, revised anything in any way yet. But he will shortly, he promises very quickly."

Stephen Bley: "I would ask the Commission, because this is a very unusual proceeding, I don't think it has happened before, this type of thing, I would just like the record to reflect I object to the fact it was in Administrative Hearing with basically, the prosecutor, and only I say that on general terms because I don't even know if there has been any changes, not Mr. Martin, Mr. Killelea, because I believe that that was the type of proceeding since the findings were something that have to be supporting the Civil Action, that at a minimum I should have been there, or the alternative, Mr. Killelea should not have, but again, I mean that may be premature, I would just like the record to reflect that because I don't even know what the rulings are yet."

Commissioner Murphy: "Well, I don't either and, obviously, I don't think the rest of us do, and why don't you talk to Mr. Killelea about it?"

Stephen Bley: "Well, I want the record to reflect that they did inform me. I got a call from Lieutenant Frazier that it would be on and Mr. Killelea also mentioned that to me."

Commissioner Murphy: "I see, fine."

Stephen Bley: "Thank you very much."

Commissioner Murphy: "Thank you."

The Commission then adjourned its meeting at 6:45 p.m.

SECRETARY

23 SEPTEMBER 1981 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 23, 1981 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

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Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meetings of August 5, 1981, and August 12, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same is hereby approved:

836 HARRISON STREET - THE COPY FACTORY

a) At 836 Harrison Street, install a 22' yellow zone, extending 22' east of east property line of 836 Harrison Street.

2254 VAN NESS AVENUE - "IT'S A TRIP TRAVEL CONSULTANTS."

a) At 2254 Van Ness Avenue, install a 22' green zone, extending from 14' north of the south property line to 36' north of same.

b) Remove meter #608.

334 GRANT AVENUE - S.F.P.D.

a) At 334 Grant Avenue, install a 22' STLZ extending 10' north of north curb of Harlan Place to 32' north of Grant Avenue at East curb.

b) Install meter with STLZ signs 7 a.m., to 1 p.m.

204 GRANT AVENUE - S.F.P.D.

a) At 204 Grant Avenue, install a 22' STLZ, extending 25' north of north curb of Post Street to 47' north on Grant Avenue at east curb.

b) Install meter with STLZ 7 a.m. to 1 p.m.

166 GRANT AVENUE - S.F.P.D.

a) At 166 Grant Avenue, install a 26' STLZ, extending 23' north of north curb of Maiden Lane to 49' north on Grant Avenue at east curb with STLZ sign 7 a.m. to 1 p.m.

b) Install one meter 22' north of STLZ.

166-170 GRANT AVENUE - S.F.P.D. - REVOKED

a) At 166-170 Grant Avenue, revoke existing 49' yellow zone, extending 23' north of north curb of Maiden Lane to 71' north on Grant at east curb.

2 GRANT AVENUE - S.F.P.D. - REVOKED

a) At 2 Grant Avenue, revoke existing 18' white zone, extending 21' north of north curb of O'Farrell Street to 39' north on Grant Avenue at east curb.

2 GRANT AVENUE - S.F.P.D. - REVOKED

a) At 2 Grant Avenue, revoke existing 44' white zone, extending 61' north of north curb of O'Farrell Street to 105' north on Grant Avenue at east curb.

b) Install meter numbers #4 and #6 GRANT.

252 GRANT AVENUE - S.F.P.D. - REVOKED

a) At 252 Grant Avenue, revoke existing 22' white zone, extending 86' north of north curb of Ashburton Place to 108' north on Grant Avenue at east curb.

b) Install one meter in its vacancy.

84 VANDERWATER - S.F.P.D. - REVOKED

a) At 84 Vanderwater, revoke existing 22' yellow zone, extending from 22' east of the west building line.

86 VANDERWATER - S.F.P.D. - REVOKED

a) At 86 Vanderwater, revoke existing 60' white zone, extending from east building line 60' west of same.

667 COMMERCIAL - CHRISTOPHER CHI - REVOKED

a) At 667 Commercial Street, revoke existing 20' blue zone, extending from 112' to 132' east of Kearny Street.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 216 feet of white, blue and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 546-81

GARY A. BIRD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary A. Bird against the City and County of San Francisco in the sum of $35 00 as the result of a faulty tow, be,and the same is hereby approved.

Date of Incident: August 17, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 547-81

CHERIE ENGLISH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cherie English against the City and County of San Francisco in the sum of $35 00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 27, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 548-81

FRANK HICKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Hicks against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 24, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 549-81

THOMAS A. LATTA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas A. Latta against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 22, 1981

AYES: Commissioners Daly, Nelder,Toler, Murphy, Sanchez

RESOLUTION NO. 550-81

CHIA LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chia Lee against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 551-81

DONALD LE KICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald Le Kich against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTON NO.552-81

CHONG L. LOW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chong L. Low against the City and County of San Francisco in the sum of $35 00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 10, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 553-81

CAROLYN L. LOWE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carolyn L. Lowe against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 15, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 554-81

ERNEST PAGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernest Page against the City and County of San Francisco in the sum of $20.00 in Compromise of Superior Court Action No. 729-240, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 25, 1977

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 555-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Alan W. Benner Recruitment & Retention Unit	$160.00	(Presentation on Psychological Screening for Police, Los Angeles, California, on August 25, 1981.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 556-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attnding the below-indicated program, be, and the same is hereby approved:

Sergeant Kenneth Davis Field Training Office	$270.00 each	(Narcotics Enforcement Course for Peace Officers, Huntington Beach, California, from September 1, 1981 to September 3, 1981.
Sergeant Norbert Guiterrez Field Training, Mission Station		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 557-81

AUTHORIZING ATTENDANCE OF LIEUTENANT KELVIN BROWN, SERGEANTS ROBERT BRONSON AND GEORGE WALSH, FRAUD DETAIL, AT A FRAUD INVESTIGATION TRAINING

COURSE, IN OXNARD, CALIFORNIA, FROM OCTOBER 21, 1981 TO OCTOBER 23,1981

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Kelvin Brown, Sergeants Robert Bronson and George Walsh, Fraud Detail, be detailed to attend a Fraud Investigation Training Course, in Oxnard, California, from October 21, 1981 to October 23, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Kelvin Brown, Sergeants Robert Bronson and George Walsh, in a sum not to exceed $285.00 each, will be defaryed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 558-81

AUTHORIZING ATTENDANCE OF LIEUTENANT RONALD JACKSON, PERSONNEL AND TRAINING, AT A TRIANING MANAGEMENT COURSE AT TIBURON, CALIFORNIA, FROM OCTOBER 19, 1981 TO OCTOBER 30, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Ronald Jackson, Personnel and Training, be detailed to attend a Training Management Course at Tiburon, Calif-onria, from October 19, 1981 to October 30,1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Ronald Jackson, in a sum not to exceed $838.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 559-81

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR BARRY JOHNSON AND INSPECTOR CLIFFORD TAWNEY, ROBBERY DETAIL,

AND INSPECTOR EDWIN KENNEY, GENERAL WORKS DETAIL, AT A SPECIALIZED SURVEILLANCE EQUIPMENT TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM OCTOBER 19, 1981 TO OCTOBER 23, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Barry Johnson and Inspector Clifford Tawney, Robbery Detail, and Inspector Edwin Kenney, General Works Detail, be detailed to attend a Specialized Surveillance Equipment Training Course at Sacramento, California, from October 19, 1981 to October 23, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expense incurred by Sergeant/ Inspector Barry Johnson, Inspector Clifford Tawney and Inspector Edwin Kenney, in a sum not to exceed $290.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 560-81

AUTHORIZING ATTENDANCE OF POLICE OFFICER JOSEPH DUTTO, VICE CRIMES-NARCOTICS DETAIL, AT A NARCOTICS INVESTIGATION COURSE IN SACRAMENTO, CALIFORNIA, FROM OCTOBER 18, 1981 TO OCTOBER 30, 1981.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Joseph Dutto, Vice Crimes, Narcotics Detail, be detailed to attend a Narcotics Investigation Course, in Sacramento, California, from October 18, 1981 to October 30, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Joseph Dutto, in a sum not to exceed $580.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 561-81

AUTHORIZING ATTENDANCE OF SEVENTEEN (17) MEMBERS OF THE TACTICAL DIVISION, AT A TACTICS REFRESHER TRAINING COURSE, AT FORT ORD, MONTEREY CALIFORNIA, DURING THE MONTH OF SEPTEMBER, 1981

RESOLVED, that the recommendation of the Chief of Police that seventeen (17) members of the Tactical Division be detailed to attend a Tactics Refresher Training Course, at Fort Ord, Monterey, California, during the month of September, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the seventeen (17) members of the Tactical Division in a sum not to exceed $125.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Nelder said last week he mentioned a discussion he had had with Judge Harry Low who is now the Judge of the Juvenile Court and the Judge brought up a subject that the Commissioner was not entirely conversant with. He said the Judge told him that perhaps he would send some material to the Police Commission to bring the Commission up to date, and at that time he called Chief Murphy's attention to it and asked him if he was familiar with it.

He said he would like to read to the Commission a letter he had received as a result of that conversation from a Joseph J. Botka, Chief Probation Officer, and he addresses it to the Commission which is as follows: "Pursuant to the conversation you had with Judge Low I am sending the enclosed information to you at his request. Judge Low and I are planning to meet with Chief Murphy to discuss the proposed program as outlined in the enclosed resolution of the Board of Supervisors. We would be interested in any input by the Police Commission and I would be willing to appear before the Police Commission should this issue become an agenda item. It is my opinion that we should use the community resources as much as possible, however, every precaution should be exercised by all of us to insure that San Francisco does not become

a mecca for runaways. Further, we should consistently keep in mind the needs to provide appropriate protection and services for status offenders and at the same time support the rights of the School System and parents to maintain control over youth within their responsibility."

Commissioner Nelder then said that this just scratches the surface of the subject.

He then said he would like to move at this time that the Commission have Lieutenant Frazier invite the Chief Probation Officer, Mr. Botka, here before the Commission and explain the whole process and, hopefully, Chief Murphy at that time can make some comments too to give the Commission the proper direction.

Commissioner Daly then spoke on another subject stating that she had visited some of the district police stations and that she was appalled at the condition of the work environment. She said it must be terrible on the morale of officers who work in those stations. She said in many stations the paint job was done so sloppily they didn't even move the candy machines to paint behind them.

Chief Murphy said that the Department has had capital improvement request in for years attempting to obtain funds to paint those stations, but haven't been successful in receiving appropriations to get the work done. He said, but they would continue to pursue this.

Further discussion was held on the amount of stress the officers faced because of such conditions and how to combat it through different services available with a number of psychologist, and an update was given on the status of the three police officers who were facing criminal charges and subsequent disciplinary charges before the Commission.

Chief Murphy said that although the criminal proceedings were halted, the officers still had to appear before the Commission.

He said at that time their attorney would have to make the necessary motions in this matter which would give some indication to the Commission as to which way to proceed.

Commissioner Nelder said he would like to take the opportunity to compliment the two officers who made that fine arrest the other morning. He said he felt that that was what police work is all about and that is what the people of San Francisco has a great concern about.

He said it is premature for the Commission to take any kind of action at this point because the officers will be coming before the Meritorious Board, but he just couldn't help but acknowledge the fact that when you see that kind of outstanding work that it shouldn't go unnoticed. He said there were eleven cases reported in the press and those are the types of cases that every San Franciscan is worried about and it certainly typifies the outstanding work this department does, so, he felt the need to make a comment in that direction.

He said he wanted to compliment the Chief and the men of the department for taking such swift action because it is very scary to have people walking down the street and wantonly attacked.

CHIEF'S REPORT TO THE POLICE COMMISSION

Presentation of Traffic Officer of the Month Award.

Chief Murphy said he had hoped to report to the Commission tonight on the discussions he is having with the Sheriff's Office on the booking and searching of prisoners up there. However, due to calendaring, they were not able to schedule a meeting with the Sheriff until tomorrow morning. He said he would, at next week's Commission Meeting, have a report.

He said the other matter he would report on always makes him happy and that is to have the Traffic Officer of the Month Award and Sergeant Gary Epperly here would announce the winner of the Award for the month of August.

Sergeant Epperly said the Officer selected for the month of August is Alberto Miranda from Ingleside Station. He said this officer is involved in many varied duties such as housekeeping runs, breaking up family disturbances, responding to prowlers and barking dogs but besides being involved in all of these matters he was instrumental in 11 investigations, made 18 physical bookings, two misdemeanor citations arrest, also wrote 60 moving violations, 31 parking violations and statistically throughout the year, since January, has made 110 arrest and as far as traffic enforcement, he has made a total of 161 arrest.

Mr. Simon of the Chamber of Commerce, then came forward and made the following presentation to Officer Alberto J. Miranda. Dinner for two at Victoria Station, dinner for two at the Blue Fox Restaurant, and accommodations at the Stanford Court for the weekend, and also his likeness will appear on that Billboard at 8th and Folsom Streets.

Commissioner Sanchez said the business of the San Francisco Police Depeartment is to ensure that we maintain the finest. He then said that Officer Miranda's demonstration and his commitment to service in this city is really a tribute to the men and women within the Department. He said the Commission wishes to extend to Officer Miranda and his family the Commission's and Chief's sincere thanks, also thanks to Mr. Simon and the Chamber of Commerce for taking time out each month to pay this special tribute to our San Francisco Police Officers.

AMENDING THE SAN FRANCISCO MUNICIPAL POLICE CODE, PART II, CHAPTER VIII, AND THE SAN FRANCISCO MUNICIPAL CODE, PART III, TO ESTABLISH A REVISION OF POLICE PERMIT FILING AND LICENSE FEES. (CONTINUED FROM THE MEETING OF SEPTEMBER 16, 1981.)

Commissioner Murphy asked if this matter had been cleared with the City Attorney's Office?

Officer Farrell Suslow, who made a presentation on the matter at last week's meeting, said the proposed amendment was written by the representatives of the City Attorney's Office.

Commissioner Sanchez said that the writing of this document has really been a major project and the Commission wanted to thank the Staff and the related City Agencies in bringing this up to date.

Commissioner Murphy then moved approval and it was seconded by Commissioner Daly.

It was then unanimously approved.

RESOLUTION NO. 545-81

AMENDING THE SAN FRANCISCO MUNICIPAL POLICE CODE, PART II, CHAPTER VIII, AND THE SAN FRANCISCO MUNICIPAL CODE, PART III, TO ESTABLISH A REVISION OF POLICE PERMIT FILING AND LICENSE FEES.

WHEREAS, revenues received from permitting functions have been less than related costs; and

WHEREAS, since the adoption of Proposition 13, it has become necessary to ensure that revenues from Permit and License fees are sufficient to defray costs incurred; therefore be it

RESOLVED, that the attached ordinance package of changes to the Municipal Police Code and Municipal Code, Part III, implementing a revised scheudle of Permit and License Fees be adopted.

(Copy on file in the Police Commission Office.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE TO ENTER INTO A HOLD HARMLESS AGREEMENT WITH THE COUNTY OF ALAMEDA FOR USE OF THEIR FIRING RANGE AT PLEASANTON, CALIFORNIA.

Deputy Chief Shannon said that the Police Academy for one phase of Recruit Training, because the San Francisco Police Department's Range is not large enough, go to Alameda County for a particular phase of training. He said this is where they actually take a San Francisco Police Department vehicle and recruit officers are taught how to get out of this vehicle and fire at specific targets. He said the Department can use the range in Alameda County at Pleasanton with no cost to the Department, but they do want a Hold Harmless Agreement.

He said this agreement was written by the Department's Legal Staff and approved as to form by the City Attorney.

Commissioner Nelder moved for approval and Commissoiner Toler seconded.

It was then unanimously approved.

RESOLUTION NO. 562-81

HOLD HARMLESS AGREEMENT WITH THE COUNTY OF ALAMEDA FOR USE OF THEIR FIRING RANGE AT PLEASANTON, CALIFORNIA - APPROVED

WHEREAS, the Alameda County Sheriff's Department owns and operates three firing ranges within Alameda County; and

WHEREAS, the San Francisco Police Department Academy needs such a facility for officer survival training; and

WHEREAS, the County of Alameda is prepared to permit the San Francisco Police Department to utilize the firing range at no cost to the City and County; and

WHEREAS, an agreement between the City and County of San Francisco and the County of Alameda has been drafted under which the City and County of San Francisco agree to hold harmless the County of Alameda, for use of the firing range; therefore be it

RESOLVED, that the Police Commission of the City and County of San Franciso, hereby approves the "Agreement for Use of Firing Ranges." and requests that the City Attorney, the Purchaser of Supplies and the Chief Administrative Officer approve this agreement.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DISCUSSION RE PROPOSED AMENDMENTS TO CIVIL SERVICE COMMISSION RULE 34- GRIEVANCE PROCEDURE.

Deputy Chief Shannon said the Civil Service Commission is in the process of re-writing several of their rules and one of the rules is Rule 34, the Grievance Procedure. He said as re-written, it is not too much different than the one now in effect.

He said other Commissions of the City has accepted the new rule but it does not mean the Police Commission has to accept it, and it does not mean that if the Commission does not accept it, it won't be written in this manner, but the Civil Service Commission has requested that the Commission review it and, thereafter, send them a recommendation based on the Commission's review and discussion as to whether the Commission would want to hear girevances or would rather they stay within Rule 34 and allow the Civil Service Commission to hear them. He said if the Commission says that it does want to hear them then the Civil Service Commission would write in a sub-section which would allow the Police Commission, or any other Commission, to hear grievances.

Chief Murphy saif that his preference would be for the Commission to hear departmental grievances because the Commission is more cognizant of what is going on in the department than someone from Civil Service.

Mr. Bob Barry of the San Francisco Police Officers' Association, agrees with the Chief in this regard in that they have always asked for an effective means of communications, upwards, directly to the Police Commission. He said there has been some indication that there would be a flood of grievances coming before the Commission if the Commission takes this stand, however, he said, the Association wants to solve grievances at the lowest supervisory level possible and that they had no desire to bring species arguments before the Commission and waste everybody's time.

Commissioner Murphy then made a motion stating that in principal, the Police Commission should hear grievances from the Chief's decision and that the findings of the Commission after hearing those grievances should be final, and not subject to further findings by an arbitrator.

Commissioner Toler seconded and it was unanimously approved.

The Commissioners then requested that a letter be directed to the Civil Service Commission reflecting the Police Commission's position regarding Rule 34.

"Hon. Civil Service Commission
151 City Hall
San Francisco, California

Subject: Proposed Amendment to Civil Service Commission Rule 34 - Grievance Procedure

Dear Commissioners:

The Police Commission on Wednesday, September 23, 1981, held a discussion regarding the revision of Rule 34 of the Civil Service Rules and Procedures. The main provision of the rule concerning the Police Commission is one that takes away Police Commission's jurisdiction to hear grievances of members of the Department who desire to take their grievances beyond the Chief of Police.

After a lenghty discussion by the Commission exploring all aspects of Rule 34, the Commission decided, and voted, that they were desirous of hearing and resolving grievances of sworn members without further arbitration proceedings. A motion was made to that effect by Commissioner James McKaskle Murphy, seconded by Commissioner Burl A. Toler and unanimously approved.

This is the preference of the Police Commission, and you are so advised.

Very truly yours,

Dr. David J. Sanchez,Jr.
PRESIDENT
THE POLICE COMMISSION

942/130

By s/ Willie E.Frazier
Secretary"

RESOLUTION NO. 563-81

SERGEANT RICHARD BRAUN, SUPPORT SERVICES BUREAU-RECORDS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Richard Braun, Support Services Bureau-Records Division, as follows:

SPECIFICATION NO. 1

Failure to properly attend to his assigned duties and submitting false and inaccurate Weekly Activity Reports. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to obey and promptly execute a lawful order of a superior officer. (Violation of Sectoin 2.45 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Richard Braun, Support Services Bureau-Records Division, is set for Wednesday, September 30, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 564-81

HEARING OF APPEAL FO SUSPENSION WITHOUT PAY OF POLICE OFFICER EVEN T. LAMMERS, SOUTHERN POLICE STATION, CONTINUED TO OCTOBER 28, 1981.

WHEREAS, the hearing of the appeal of suspension of Police Officer Even T. Lammers, Southern Police Station, was called, it having been set for this date; and

WHEREAS, a communication was received from Police Officer Dan Linehan, Representative, Southern Police Station, advising that since Officer Lammers is currently on disability and is expected to remain so for approximately one month, that the matter be continued to a later date; therefore be it

RESOLVED, that the hearing of the appeal of the disciplinary charges filed against Police Officer Even T. Lammers, Southern Police Station, is continued to Wednesday, October 28, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 6:35 p.m.

SECRETARY

30 SEPTEMBER 1981 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 30, 1981 at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

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RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1504 BRYANT STREET - CALIFORNIA GALLERY WEST

a) At 1504 Bryant Street, install a 22' green zone, extending from 37' to 59' south of north property line.

1504 BRYANT STREET - CALIFORNIA GALLERY WEST

a) At 1504 Bryant Street, install a 22' yellow zone, extending from 59' to 81' south of north property line.

94-3rd STREET - MERCANTILE BUILDING

a) At 94-3rd Street, install a 22' yellow zone, extending from 22' north of north building line.

b) Remove meter #48.

98-3rd STREET - MERCANTILE BUILDING

a) At 98-3rd Street, install a 22' yellow zone, extending from south property line 22' north on Mission Street.

3447 MISSION STREET - BAKERY - DENIED

a) At 3447 Mission Street, install a 22' yellow zone, extending from south property line 22' north on Mission Street. DENIED.

b) Remove meter #3425. DENIED.

2299 POST STREET - S.F.P.D. - REVOKED

a) At 2299 Post Street, revoke existing 27' yellow zone, extending from 122' to 149' east of Divisadero Street.

533 PACIFIC - S.F.P.D. - REVOKED

a) At 533 Pacific Street, revoke existing 46' white zone, extending from 46' west of east building line.

2299 POST STREET - S.F.P.D. - REVOKED

a) At 2299 Post Street, revoke existing 33' white zone, extending from 89' to 122' east of Divisadero Street.

3565 GEARY BOULEVARD - S.F.P.D. - REVOKED

a) At 3565 Geary Boulevard, revoke existing 28' white zone, extending from 17' to 45' east of west property line.

2300 TARAVAL - SOCIAL SECURITY OFFICE REVOKED

a) At 2300 Taraval Street, revoke existing 44' blue zone, extending from east property line 44' west of same.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 178 feet of

blue, white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 566-81

DINO TAMBOURATGIS AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Dino Tambouratgis in the sum of $6,250.00 in Superior Court Action No. 720-450 entitled, "Dino Tambouratgis v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 8, 1976

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 567-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Paul H. Seidler Community Relations Unit	$75.00	12th Annual Training Conference, Baltimore, Maryland, from May 7, 1981 to May 10,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 568-81

AUTHORIZING ATTENDANCE OF POLICE OFFICERS EDWARD DULLEA AND MICHAEL TRAVIS, TACTICAL DIVISION, AT THE WESTERN REGIONAL BOMB TECHNICIANS SEMINAR, IN SAN JOSE, CALIFORNIA, FROM OCTOBER 19,1981 TO OCTOBER 23, 1981.

RESOLVED, that the recommendation of the Chief of Police that Police Offocers Edward Dullea and Michael Travis, Tactical Division, be detailed to attend the Western Regional Bomb Technicians Seminar in San Jose, California, from October 19,1981 to October 23, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers Edward Dullea and Michael Travis in a sum not to exceed $274.00 each, till be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 569-81

AUTHORIZING ATTENDANCE OF INSPECTOR ROBERT STONE, ARSON TASK FORCE, AT THE SECOND ANNUAL ADVANCED ARSON INVESTIGATION SEMINAR IN LAS VEGAS, NEVADA, FROM OCTOBER 26,1981 TO OCTOBER 30,1981.

RESOLVED, that the recommendation of the Chief of Police that Inspector Robert Stone, Arson Task Force, be detailed to attend the Second Annual Advanced Investigation Seminar in Las Vegas, Nevada, from October 26, 1981 to October 30, 1981, be, and be it further

RESOLVED, that expenses incurred by Inspector Robert Stone, in a sum not to exceed $509.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 570-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of $6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of October, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 571-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of $4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of October, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Daly said she wanted to mention that she saw in the paper this morning that the Mayor was thinking of Fingerprint Computers even as she travels. The Commissioner said she felt the Police Commission should do everything it can to encourage the speedy acquisition of this computer because it has become high priority in the city and anything that can be done to get it should be undertaken.

Commissioner Murphy said she would like to report that a member of the Board of Education, Mrs. Denebine, called her and said she was very disturbed by the Operation Stay In School Program, in that the Board of Education had never been notified of this proposal.

Deputy Chief Eimil, Acting as Chief of Police, said it was his belief that the Police Department dealt with Barbara Cohen, member of Dr. Alioto's Staff, and that any notification to the Board of Education should have come from that Staff Member.

The Chief continued by saying that the program has been in operation for two days and that members at the Counseling Centers received 26 truants yesterday. He said the Department is very satisifed with the way the police handled it and teh way that the program is progressing.

Commissioner Toler said in going to work today he had heard Barbara Cohen speaking over the radio explaining how well the program is working and that the Police Department is cooperating very well with them.

Commissioner Sanchez said that it was his understanding that the School Board was informed and that the two members who did not concur, at least to the Superintendent and to the other seven Board Members in that body, were Commissioners Denebine and Anderson, and that Cohen did inform them. They were invited to the Press Conference and, in essence, everyone had been informed at that level prior to the actual decision, including cites and training.

He said the Department was asked to participate in the program and that it wasn't as if it was the Police Department's idea to come in and do roundups of youngsters and put them in Counseling Centers.

He continued by saying it was a request, specifically by Dr. Alioto and some members of the School Board, where an informal vote was taken to start the program resulting in a 5 to 2 decision in favor to begin it.

He said also there is another matter that the Commission should have an update on, and this is in regard to Ingleside Station last year where there were problems with a number of the High School youngsters, specifically from Balboa, and at that time a few ideas were brought forth in an attempt to change the image of the Police Department with the students. He said last week a program was instiued by Balboa to adopt a police car, meaning that a police car from the Ingelside Police Station would be assigned to the high school's auto shop where the students would do the necessary repairs on a police vehicle.

He said he would like a formal report from some staff member of the department as to what is happening with this proposal and if it could be expanded to other high schools.

Commissioner Murphy then brought up the subject of the Taxi Cab Permit situation and said that it has come to her attention that there may be further delays in the process for the issuance of the 23 cab permits.

She stated that the Commission should take some action, that would not violate the provisions of Prop.K, to expedite the issuance fo those permits.

Commissioner Nelder said in that respect he felt that a Commission motion to take immediate steps to issue those 23 permits to the 23 qualified people should get things moving.

Commissioner Murphy said she would make that motion and Commissioner Nelder then seconded.

The Commissioners, thereafter, amended it to require a report on its progress at the next Commission meeting of Wednesday, October 7,1981.

Mrs. Mia Rivera, at this time, requested to be heard on the issue and she was given permission to address the Commission on the subject. She said she was number 2 on the Taxi List and one thing she would like for the Commissioners to include in their motion that prior prints of those applicants who are already drivers be used, then applicants could submit their drivers licenses along with those prints that are already on file thereby resulting on some pre-processing of these items so that all that would be necessary when they receive the application form is to fill in their financial and any other statements.

The Commissioners assured her this would be done, and then approved the motion to expedite the processing in issuing the 23 Taxi Cab Permits.

Commissioner Nelder said that before the agenda is moved along he would like to address the issue of reprimands issued to members of the Department. He said it has come to his attention that reprimands are being administered at the level where the infraction occurs and it is his feeling that it does not carry the necessary coorective action that is really required. He said he felt that to make it really effective it should be handled by the Captain of the Training Division when there is a reprimand for a member to be issued and carried out.

He said rather than have the two Deputies, Shannon and Eimil speak to it, he said he would bring it up again next week when the Chief is present.

Commissioner Sanchez then said he would like to add a request to that and ask that Deputy Chief Shannon prepare a report to the Commission in regard to Commission Staff, i.e., secretarial and additional legal staff for the Legal Office.

He also said that the Commission had voted to hire a Civilian Investigator on a 6 month trial basis and that it was critical that the Department get moving on it as we are entering the 2nd month since this matter was adopted.

Commissioner Murphy then made a motion that the 6 month trial period for the Civilian Investigator should begin at the time of the commencement of his employment.

This motion was then unanimously approved.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Eimil, Acting Chief of Police, said that last Sunday, September 27, 1981, 6 or 7 thousand people completely encircled the block of the Jack Tar Hotel in a demonstration in opposition to the President Duarte, El Salvador Regime. He said in some instances the demonstrators were 5 and 6 deep all around the block. Many, he said, were immigrants from El Dalvador who had lost friends, or family, as a result of the social strife taking place in that country and they perceived that President Duarte is the one responsible for the problem. He said for the most part the demonstrators were orderly, but in the crowd were the Revolutionary Communist Party, the Spartacus League, and other militant groups. He said in addition there were a group of 50 or 60 who were pro Duarte demonstrators. These people were commonly known as Moonies. He said the different interest groups became involved in pushing and shoving matches which necessitated the police having to separate them from the main crowd by assigning Mounted Officers to prevent further incidents.

He said some demonstrators attempted to squirt liquid in the eyes of the Mounted Unit Horses. He said the officers managed to sweep the demonstrators from in front of the hotel on to Geary Street and, thereafter, the demonstrators went to St. Mary's Cathedral where they held a rally.

He said there was an incident that took place in a bus zone that was on the front page of the Chronicle with the caption that, "Club Wielding Police sweep past on lookers at a bus stop and the next wave of officers knocked down onlookers and sent others scurrying." He said a lady went to Northern Police Station and said she recognized her picture in the paper and identified herself as Sarah Kilgore, an attoreny, and she said the picture was her and the other person shown was her friend and that all persons knocked down at that location were knocked down by the demonstrators as they came running by.

He said the Department video-taped the entire incident and that he had viewed it and found no improper police actions.

Commissioner Sanchez said during that demonstration he felt San Francisco was on trial and the Police Commission goes on record in saying that this Department does not and will not tolerate any sort of police brutality. He said if any citizen feels that he/she was mistreated then the process is available to let it be known and investigated, but he said, overall, and giving the complexities and great numbers involved and concerns of all in dealing with that demonstration, the Police Commission believes that the San Francisco Police Department, and citizens who participated,did an outstanding job.

Commissioner Sanchez, after listening to further discussion regarding a suggestion by Commissioner Nelder to look at or create some legislation to counteract the threat of some demonstrators carrying deadly weapons such as bottles, sticks, and caustic chemicals, and which was agreed to that it be pursued,said because of some other pressing matters by one or more of the Commissioners they would opt not to view the video-tape of the demonstration during tonight's meeting. He said maybe it could be done at one of the subsequent Commission meetings or at a special time when most of the Commissioners would be able to come in and view it.

RECEIPT OF DEPARTMENT GENERAL ORDER NO. Q-2, "FIREWORKS STORAGE." (COPIES SENT TO EMPLOYEE ORGANIZATIONS.) - CONTINUED ONE (1) WEEK.

Deputy Chief Shannon asked the Commissioners to schedule this matter for Public Hearing next week as he has now received letters from the San Francisco Police Officers' Association saying they have no objection to the adoption of this order.

Continued for one (1) week.

AMENDING ARTICLE 16 OF PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE), BY AMENDING SECTION 1126 THEREOF RELATING TO BADGES FOR CHAUFFEURS.

Deputy Chief Shannon said what the Department is asking is that the Police Commission approve, by resolution, an amendment to the Municipal Code which would allow a violation of this section to be punished as a misdemeanor giving the police department an option as to action to be taken in this matter.

It was then unanimously approved.

RESOLUTION NO. 572-81

AMENDING ARTICLE 16 OF PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE), BY AMENDING SECTION 1126 THEREOF RELATING TO BADGES FOR CHAUFFEURS.

WHEREAS, the wearing in a prominent place of the license to drive a publicly licensed vehicle-for-hire is an important part of the process for enforcement of the City's Vehicle-for-Hire Ordinances and Regulations; and

WHEREAS, the District Attorney has informed the Police Department that the language of Section 1126 of the Municipal Police Code allows only one penalty, revocation, for failure of a driver of a licensed vehicle to display the prescribed badge; and

WHEREAS, the provisions of Section 1130 provide that the Chief of Police may, for good cause shown upon notice and hearing, suspend or revoke the permits to drive a Vehicle-For-Hire; therefore be it

RESOLVED, that the Police Commission hereby request that the Board of Supervisors adopt the attached proposed ordinance to amend the Police Code to permit the offense of failure to display the badge to be punished as a misdemeanor, as well as by administrative action by the Chief of Police.

(Copy on file in Police Commission Office.)

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

PUBLIC HEARING RELATIVE TO DEPARTMENT GENERAL ORDER B-1, "PHYSICAL AGILITY STANDARDS," "PHYSICAL FITNESS STANDARDS:" AMENDING G.O. B-1 OF MAY 29,1981.

Deputy Chief Shannon said the Department made an administrative error when the previous order was printed and this order would correct that error.

It was then unanimously approved.

RESOLUTION NO. 573-81

DEPARTMENT GENERAL ORDER B-1, "PHYSICAL AGILITY STANDARDS," "PHYSICAL FITNESS STANDARDS:" AMENDMENT THERETO.

RESOLVED, that the Police Commission hereby amends General Order B-1, "Physical Agility Standards" "Physical Fitness Standards;" introductory paragraph, first sentence, to read as follows:

> "This order sets forth physical agility and fitness standards for officers other than Q-20's who were appointed on or after March 16, 1970."

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 565-81

SETTING OF DATE FOR HEARING OF SERGEANT RICHARD BRAUN, SUPPORT SERVICES BUREAU-RECORDS DIVISION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Sergeant Richard Braun, Support Services Bureau-Records Division, was called; and

WHEREAS, since Sergeant Richard Braun nor his attorney, Mr. Stephen Bruce Bruce Bley, were present to set a date for the hearing, the date for the setting of a hearing was continued to October 7, 1981; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Richard Braun, Support Services Bureau-Records Division, is set for Wednesday,

October 7, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 574-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

WHEREAS, the status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Station, was called, it having been set for this date; and

WHEREAS, a communication was received from Mr. George G. Walker, attorney for Police Officer Lucien R. Senhaux, requesting a continuance in this matter; therefore be it

RESOLVED, that a status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Station, is hereby set for Wednesday, October 21, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 6:27 p.m.

SECRETARY

7 OCTOBER 1981 **REGULAR MEETING**

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 7, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

DOCUMENTS DEPT.
APR 5 1982

Commissioner Sanchez presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1363 DIVISADERO STREET - CHRIST BEARERS CHORAL CONGREGATION

a) At 1363 Divisadero Street, install a 24' white zone, extending from 9' to 33' south of the north property line.

458 GEARY STREET - CALIFORNIA MINI BUS

a) At 458 Geary Street, install a 22' white zone, extending from 22' west of east property line.

640 STEVENSON STREET - PIONEER ARMY NAVY STORE

a) At 640 Stevenson Street, revoke existing 30' yellow zone, extending from 30' east of the west building line.

b) Replace with a 22' red zone, extending from 22' east of west property line (rear loading of 1133 Market Street.)

1620 MONTGOMERY STREET - S.F.P.D. - REVOKED

a) At 1620 Montgomery Street, revoke existing 45' yellow zone, extending 45' south of the north line of the building.

1785 UNION STREET - CAPTAIN'S MESS - DENIED

a) At 1785 Union Street, install a 22' white zone, extending from 22' east of west property line. DENIED.

b) Revoke meter #1739. DENIED.

246 MC ALLISTER STREET - ABIGAIL HOTEL - DENIED

a) At 246 McAllister Street, install a 22' white zone, extending from 2' to 24' west of east property line. DENIED.

b) Meter #218 to be removed. DENIED.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 45 feet of yellow zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 575-81

RODOLFO F. ARTURI

RESOLVED, that the recommendation of the

City Attorney for settlement of the claim of Rudolfo F. Arturi against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30,1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 576-81

MARA LENA CORTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mara Lena Corter against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 6, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 577-81

BRAD DATSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brad Datson against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 1,1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO: 578-81

NANCY JACKSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nancy Jackson against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 4, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 579-81

VICTOR JACOB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Victor Jacob against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 9, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 580-81

CARL R. NELSON JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carl R. Nelson, Jr., against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 581-81

MABEL J. TINSLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mabel J. Kinsley against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 582-81

PATRICIA L. WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia L. Wilson against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 31, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Lieutenant Sidney J. Paton, Bureau of Investigations, Pawnshop Detail, for service, effective September 9, 1981.

b) Police Officer Sebastian Schiessl, Traffic Bureau, for service, effective September 6, 1981.

The communications were ordered filed.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 583-81

AUTHORIZING ATTENDANCE OF CAPTAIN RICHARD D. KLAPP, PERSONNEL AND TRAINING AT THE MEETING OF THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING IN SACRAMENTO, CALIFORNIA, FROM OCTOBER 22, 1981 TO OCTOBER 23, 1981.

RESOLVED, that the reocmmendation of the Chief of Police that Captain Richard D. Klapp, Personnel and Training, be detailed to attend the Commission on Peace Officer Standards and Training in Sacramento, California, from October 22, 1981 to October 23, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Richard D. Klapp, in a sum not to exceed $66.50 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 584-81

AUTHORIZING ATTENDANCE OF INSPECTOR GERALD MC CARTHY, INTELLIGENCE BUREAU (SID), AT THE ANALYSIS OF URBAN TERRORIST ACTIVITY IN SACRAMENTO, CALIFORNIA, FROM OCTOBER 26, 1981 TO OCTOBER 30,1981.

RESOLVED, that the recommendation of the Chief of Police that Inspector Gerald McCarthy, Intelligence Bureau (SID), be detailed to attend the Analysis of Urban Terrorist Activity in Sacramento, California, from October 26, 1981 to October 30, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Gerald McCarthy in a sum not to exceed $290.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 585-81

AUTHORIZING ATTENDANCE OF INSPECTORS ALFREDO MATTEONI, JUAN MORALES, WILLIAM WIEGER AND JOHN HENNESSEY, GENERAL WORKS DETAIL, AT THE INTODUCTION TO CRIME ANALYSIS COURSE IN SACRAMENTO, CALIFORNIA, FROM OCTOBER 26, 1981 TO OCTOBER 30, 1981.

RESOLVED, that the recommendation of the Chief of Police that Inspectors Alfredo Matteoni, Juan Morales, William Wieger, and John Hennessey, General Works Detail, be detailed to attend the Introduction to Crime Analysis Course in Sacramento, California, from October 26, 1981 to October 30, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspectors Alfredo Matteoni, Juan Morales, William Wieger and John Hennessey, in a sum not to exceed $290.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 586-81

AUTHORIZING ATTENDANCE OF SERGEANT VICTOR WODE, POLICE RANGE, AT THE SEMINAR FOR BASIC ACADEMY FIREARMS INSTRUCTORS IN LOS ANGELES, CALIFORNIA, ON OCTOBER 6, 1981 AND OCTOBER 7, 1981

RESOLVED, that the recommendation of the Chief of Police that Sergeant Victor Wode, Police Range, be detailed to attend the Seminar for Basic Academy Firearms Instructors in Los Angeles, California on October 6, 1981 and October 7, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Victor Wode in a sum not to exceed $240.00, will

be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 587-81

AUTHORIZING ATTENDANCE OF POLICE OFFICER PAUL SEIDLER, COMMUNITY RELATIONS UNIT, AT A CONFERENCE ON POLICE COMMUNITY RELATIONS IN TORONTO, CANADA, FROM OCTOBER 3, 1981 TO OCTOBER 6, 1981.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Paul Seidler, Community Relations Unit, be detailed to attend a Conference on Police Community Relations in Toronto, Canada, from October 3, 1981 to October 6, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Paul Seidler in a sum not to exceed $200.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

POLICE COMMISSION REPORT

Commissioner Murphy asked Chief Murphy to comment on his attendance at the International Conference of Chiefs of Polcie at New Orleans, Louisiana.

Chief Murphy said that President Reagan was there and spoke to the Chiefs. He said the President said what most of the group wanted to hear and that was a strong voice for effective law enforcement. He said the President said that he was in favor of capital punishment and during the time he was Governor of the State of California that there were 15 people waiting for appeals from the death sentence on his desk and those people had been responsible, collectively, for 37 murders. He said

the President continued by saying that he felt that had the death penalty been in effect during that period of time then there wouldn't have been that many deaths incurred by that many people.

The Chief said he believes what he was really saying was that the blame for crime had to be placed squarely on the criminals shoulders and that the old excuses of poverty and social disadvantages just doens't wash any more. He said that these people are criminals and committing crimes because it is profitable and lucrative and easy.

On another subject, Commissioner Nelder said he would like to see that the format for Reprimands be changed to allow the Captain in charge of the Training Division to be the one to issue Reprimands.

He said a case in point is where a young female officer was disciplined because she was sent to another district to get tacos and then later testimony developed before this Commission that her Lieutenant sent her out to get the tacos and it is totally illogical that she is the one up on charges and her lieutenant is the one to reprimand her after he sent her out of the district.

He said if there is going to be a reprimand that is going to be issued then it should come from the person who knows the most about the rules that were violated and that, most likely, is the Training Officer. He said he would like to submit this to the Chief for study and recommendation.

He then so moved and it was seconded by Commissioner Murphy and unanimously approved.

Commissioner Sanchez said he would just like to state for the record that the Police Commission met in Executive Session at 1600 hours to review a personnel matter and no formal vote was taken.

He then said he had the opportunity to discuss with the Superintendent of Schools, Dr. Alioto, the effectiveness of the school program that was mentioned last week. He said the Superintendent's feeling is that it is a really unique program and that there had been a number of meetings scheduled for Bayview Hunterspoint where community members there are also asking for counseling services.

He said also the Superintendent felt the officers assigned to this program are of the

highest caliber and have excellent rapport with the Staff, the Schools and the youngsters.

He said on another matter dealing with schools, two weeks ago there was an announcement made about a program at Balboa High School called Adopt a Police Car where a police car was brought into its shop and inspected by students who waxed, polished and serviced it. He said the officers were so pleased that word was spread about it and the next week Mission High will also initiate the same type program.

He said he would like the press to be there and invited them at this time to go to the school and observe the students in operation.

Commissioner Sanchez then called upon Deputy Chief Cordes to give a report to the Commission in this regard.

Deputy Chief Cordes said he would give the Commissioners a report on the Vehicle Maintenance Program at Balboa, how it started, and what it is all about.

He said a Ms. Evelyn Fitzgerald, with the School Department, wrote to the State of California to get permission to start the program under the Vocational Training Act and obtain funds to train students under this program called Police Service Vehicle Maintenance. He said after several meetings with school officials, the program was put into effect at Balboa High School. He said it has been reduced down from complete overhauls to just servicing of the vehicles. He said at this time they have already serviced two cars for the Department and the Department is extremely happy with that. He said when they have had enough experience to evaluate the program at Balboa, and if it receives a good evaluation, then it will be expanded to other high schools, such as Mission and McAteer.

SETTING OF DATE FOR HEARING OF SERGEANT RICHARD BRAUN, SUPPORT SERVICES BUREAU-RECORDS DIVISION

Mr. Stephen Bley said he was appearing today on behalf of Sergeant Richard Braun. He said he had conferred with Mr. Martin and with the concurrence of the Commission he would like to set the date for the Sergeant's Hearing on the 18th of November.

Commissioner Nelder said if that date is agreeable with Mr. Martin he would move that it be set for that date.

Commissioner Murphy seconded and it was unanimously approved.

RESOLUTION NO. 590-81

SETTING OF DATE FOR HEARING OF SERGEANT RICHARD BRAUN, SUPPORT SERVICES BUREAU-RECORDS DIVISION.

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Sergeant Richard Braun, Support Services Bureau-Records Division, was called, it having been set for this date; and be it further

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Sergeant Richard Braun, that the date for the hearing before the Police Commission be set for Wednesday, November 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Sergeant Richard Braun, is set for Wednesday,November 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES:	Commissioners Nelder, Toler, Murphy, Sanchez
ABSENT:	Commissioner Daly

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no further report.

PUBLIC HEARING REGARDING DEPARTMENT GENERAL ORDER NO. Q-2 "FIREWORKS STORAGE."

Deputy Chief Shannon said this order had been sent to the various employee organizations and they have no problem with it.

He said it was originally requested by the Property Clerk's Office to instigate the proper receiving and storing of Fireworks and he would recommend that it be approved.

Commissioner Murphy moved for approval and it was seconded by Commissioner Nelder, it was then unanimously approved.

RESOLUTION NO. 588-81

DEPARTMENT GENERAL ORDER NO. Q-2 "FIREWORKS STORAGE." - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order No. Q-2, "Fireworks Storage."

(Copy on file in the Police Commission Office.)

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

AMENDING CHAPTER VIII, SAN FRANCISCO MUNICIPAL POLICE CODE, BY ADDING SECTION 366.1 THERETO, RELATING TO THE ISSUANCE OF PERMITS FOR ATHLETIC EVENTS CONDUCTED ON PUBLIC STREETS. (CONTINUED FROM THE MEETING OF JUNE 3,1981) - CONTINUED FOR TWO (2) WEEKS.

Deputy Chief Ryan appeared on this item and said he wanted a two weeks continuance.

Commissioner Nelder said he would move for the continaunce because Commissioner Daly has an interest in this item and she isn't here, so he would move for the continuance.

Commissioner Toler seconded and it was unanimously approved.

RESOLUTION NO. 589-81

POLICE OFFICER JOHN PROPST, TARAVAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department was filed against Police Officer John Propst, Taraval Police Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit on the San Francisco Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Drawing a firearm in a public place not in the line of duty. (Violation of Section 14.07 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Being under the influence of intoxicating liquor to such an extent as to be unable to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate, and efficient manner. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer John Propst, Taraval Police Station, is set for Wednesday, October 14, 1981 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

HEARING OF INSPECTOR WILLIAM C. BIGARANI, BUREAU OF INSPECTORS

Mr. Robert Martin, representing the Police Department, said that at this time he would make a motion to amend the complaint to include that Specification No. 1, subsection (g) where it states; 'used to pay Pacific Gas and Electric Company bills of others,' and insert after the word 'others,' and having received monies for the sale of Municipal Railway Fast Passes and unlawfully appropriated such funds received in the amount of $35,200.00.'

Mr. William Beirne, attorney representing the Defense, said he would object to the amendment at this time as he believed that the San Francisco Police Department Rules and Procedures state that the pleadings are supposed to be on file six (6) days prior to the date of hearing and that the officer charged has to have his pleading on file 24 hours prior to the time of hearing and that his client has certainly complied with this rule.

He said that he would submit that this is an untimely amendment to the complaint in that manner and that it does not give him an opportunity to prepare a defense based upon that amendment.

Commissioner Sanchez said that the Commission woudl concur at this point in that pertaining to subsection (g), this is, in essence, another serious allegation presented by the Department for review in an administrative hearing and the fact that the Commission has just received this amendment at this point pertaining to the matter and all of the charges which the Commission feels are quite serious, and because this is of such high significance and the attorney for the Department has indicated that he would agree with a continuance of the hearing, he would turn it over to the rest of the Commissioners to decide if they would concur with a continuance.

After further discussion Commissioner Toler moved that the hearing be continued to November 11, 1981. It was seconded by Commissioner Nelder and unanimously approved.

RESOLUTION NO. 591-81

HEARING OF INSPECTOR WILLIAM C. BIGARANI, BUREAU OF INSPECTORS

The hearing of Inspector William C.Bigarani, Bureau of Inspectors, was called, it having been set for this date. Inspector William C. Bigarani was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to Enforce Penal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Unbecoming an Officer Reflecting Discredit Upon the San Francisco Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Enforce Penal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Conduct Unbecoming an Officer, Reflecting Discredit Upon the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Polcie of the San Francisco Police Department.

Inspector William C. Bigarani appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Mr. William R. Beirne, on behalf of Inspector William C. Bigarani, submitted a written response admitting the allegations contained in Specification No. 1, paragraphs a,b,c, (sic), d and f thereof, and a denial of e and g, and in response to Specifications 2, 3, and 4 realleges each and every admission, denial and allegation contained therein.

Mr. Robert Martin, by an oral motion, moved to amend Specification No.1, subsection g where it states; 'used to pay Pacific Gas and Electric Company bills of others,' and insert after the word others, ' and having received monies for the sale of Municipal Railway Fast Passes and unlawfully appropriated such funds received in the amount of $35,200.00.'

Mr. Beirne objected to this amendment as to its untimeliness and not giving him sufficient time to prepare a response.

The Commissioners after listening to arguments from both attorneys then continued the hearing to Wednesday, November 11, 1981 at 5:00 p.m., in the Police Commission Hearing Room, Room 551, Hall of Justice.

(The enitre proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

The Commission then adjourned its meeting at 6:10 p.m.

SECRETARY

14 OCTOBER 1981 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 14, 1981, at 1700 hours, in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

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Commissioner Sanchez presiding.

The Commissioners, having received, amended, and returned copies of the minutes of the meeting of August 19, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1200 BLOCK SANSOME STREET - EAST SIDE - LEVI'S PLAZA

a) On the east side of the 1200 block of Sansome Street, install a 22' blue zone, extending from south property line 22' north of same.

b) On the east side of the 1200 block of Sansome Street, install a 44' yellow zone, extending from south property line 110' to 154' north of same.

c) On the east side of the 1200 block of Sansome Street, install a 116' red zone, extending from south property line 264' to 380' north of same. Entrance to Plaza on the east side of Sansome Street.

1300 BLOCK SANSOME STREET - EAST SIDE - LEVI'S PLAZA

a) On the east side of the 1300 block of Sansome

Street, install a 44' white zone, extending from north property line 85' to 129' south of same.

b) On the east side of the 1300 block of Sansome Street, install a 22' blue zone, extending from north property line 217' to 239' south of same.

100 BLOCK GREENWICH STREET - SOUTH SIDE - LEVI'S PLAZA

a) On the south side of the 100 block of Greenwich Street, install a 22' blue zone, extending from west property line 22' east of same.

b) On the south side of the 100 block of Greenwich Street, install a 22' blue zone,extending from east property line 66' to 88' west of same.

c) On the south side of the 100 block of Greenwich Street, install a 44' yellow zone, extending from east property line 88' to 132' west of same.

1200 BATTERY STREET - WEST SIDE - LEVI'S PLAZA

a) On the west side of the 1200 block of Battery Street, install a 22' blue zone, extending from north property line 22' south of same.

b) On the west side of the 1200 block of Battery Street, install a 44' white zone, extending from north property line 88' to 132' south of same.

c) On the west side of the 1200 block of Battery Street, install a 22' yellow zone, extending from north property line 190' to 212' south of same.

1100 BLOCK BATTERY STREET - WEST SIDE - LEVI'S PLAZA

a) On the west side of the 1100 block of Battery Street, install a 22' blue zone, extending from south property line 22' north of same.

UNIT BLOCK UNION STREET - NORTH SIDE - LEVI'S PLAZA

a) On the west side of the Unit Block of Union

Street, install a 22' yellow zone, extending from 94' to 116' east of same.

b) On the west side of the Unit Block of Union Street, install a 44' red zone, extending west 116' to 160' east of same. (Entrance)

c) On the west side of the Unit Block of Union Street, install a 22' blue zone, extending from 160' to 182' east of same.

112-7th STREET - BRITTON HOTEL

a) At 122-7th Street, install a 22' white zone, extending from 22' to 44' north of red driveway.

b) Remove meter 7S 106.

2633-23rd STREET - CEDAR CREEK FARMS

a) At 2633-23rd Street, install a 22' green zone, extending from existing red zone, 22' east of same.

1699 BAKER STREET - S.F.P.D. - REVOKED

a) At 1699 Baker Street, revoke existing 21' green zone, extending from 6' to 27' south of Pine Street.

1201 SOUTH VAN NESS AVENUE - S.F.P.D. - REVOKED

a) At 1201 South Van Ness Avenue, revoke existing 24'yellow zone, extending from 6' to 30' south of 23rd Street.

AYES: Commissioners Daly, Nelder,Toler,
Murphy, Sanchez

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 45 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 592-81

DEBORAH REINERIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah Reinerio against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 31,1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 593-81

ROSE ANNE REDIC

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rose Anne Redic against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 10, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 594-81

AHMAD MOSTAGHIM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ahmad Mostaghim against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 7, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 595-81

MATHEW WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mathew Williams against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16,1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 596-81

ELMER E. SCHMUCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elmer E. Schmuck against the City and County of San Francisco in the sum of $180.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7,1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 597-81

JEFFREY ALAN ROBERTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey Alan Roberts against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 2, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 598-81

ARLYNE YAMAMOTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arlyne Yamamoto against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be,and the same is hereby approved.

Date of Incident: September 15, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 599-81

NICOLE SOWINSKI JOB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nicole Sowinski Job against the City and County of San Francisco in the sum of $45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 20, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 600-81

JOHN AND KAREN NYQUIST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John and Karen Nyquist against the City and County of San Francisco in the sum of $219.10 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 9, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 601-81

ELLEN B. TWITCHELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellen B. Twitchell against the City and County of San Francisco in the sum of $50.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 16,1981

AYES: Commissioners Daly, Nelder,Toler,
Murphy, Sanchez

RESOLUTION NO. 602-81

ELLIOTT ET ASSOCIATES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elliott Et Associates against the City and County of San Francisco in the sum of $306.12 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 26, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 603-81

LAWRENCE BELOOF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence Beloof against the City and County of San Francisco in the sum of $35.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 30,1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 604-81

WILFREDO CASTILLON AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Wilfredo Castillon in the sum of $3,333.33 in Superior Court Action No. 765-639, entitled "Wilfredo Castillon, Plaintiff, vs. Donald Joseph Lando, et al., Defendants," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 6, 1979

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 605-81

ARTHUR BURNS AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Arthur Burns and his attorney in the sum of $3,577.00 in Superior Court Action No. 776-049, entitled, "Arthur Burns v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 13, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 606-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector William J. Cahill, General Works Detail	$290.00 each	Specialized Surveillance Equipment Training Course, Sacramento,
Sergeant/Inspector David		

Lambrecht, General Works Detail)	(California, from
)	(September 4, 1981
Inspector Inocente Cisneros)	(to September 18,
Robbery Detail)	(1981.
)	
Inspector John A. Wydler)	
Robbery Detail)	

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 607-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Kenneth R. Moses) Criminalistics Division)	$380.00	(Automated Finger- (print Users Group (Annual Meeting, at (Anaheim, California, (from September 20, (1981 to September 25, (1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 608-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Criminologist Shoji Horikoshi) Criminalistics Division)	$358.00	(Ninth Annual (Symposium on (Crime Laboratory (Development, (Quantico, Virginia, (from September 16, (1981 to September (18,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 609-81

AUTHORIZING ATTENDANCE OF INSPECTOR/SERGEANT JOHN BRUNNER, POLICE ACADEMY, AT THE P.O.S.T. SEMINAR ON THE USE OF TELEVISION IN LAW ENFORCEMENT, IN SACRAMENTO, CALIFORNIA, ON COTOBER 20, 1981 AND OCTOBER 21, 1981

RESOLVED, that the recommendation of the Chief of Police that Inspector/Sergeant John Brunner, Police Academy, be detailed to attend the P.O.S.T. Seminar on the Use of Television in Law Enforcement, in Sacramento, California, on October 20, 1981 and October 21, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector/Sergeant John Brunner, will be directly reimbursed to him by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 610-81

AUTHORIZING ATTENDANCE OF INSPECTOR/SERGENT STEPHEN GUDELJ, SERGEANT RICHARD CAIRNS, AND OFFICER ANNE HARRINGTON, VICE CRIMES,NARCOTICS UNIT, AT THE CALIFORNIA NARCOTICS OFFICERS' CONFERENCE IN SACRAMENTO, CALIFORNIA, FROM OCTOBER 15,1981 TO OCTOBER 18, 1981.

RESOLVED, that the recommendation of the Chief of Police that Inspector/Sergeant Stephen Gudelj, Sergeant Richard Cairns, and Officer Anne Harrington, Vice Crimes-Narcotics Unit, be detailed to attend the California Narcotics Officers' Conference in Sacramento, California, from October 15, 1981 to October 18, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector/Sergeant Stephen Gudelj, Richard Cairns and Officer Anne Harrington in a sum not to exceed $310.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 611-81

AUTHORIZING ATTENDANCE OF INSPECTOR EDWARD TANK, BURGLARY DETAIL, AT THE 32ND ANNUAL WESTERN STATES SAFE AND BURGLARY INVESTIGATORS SEMINAR, IN SANTA BARBARA, CALIFORNIA, FROM NOVMBER 2, 1981 TO NOVEMBER 5, 1981.

RESOLVED, that the recommendation of the Chief of Police that Inspector Edward Tank, Burglary Detail, be detailed to attend the 32nd Annual Western States Safe and Burglary Investigators Seminar in Santa Barbara, California, from November 2, 1981 to November 5, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Tank in a sum not to exceed $285.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissiner Daly said she just wanted to inform the Commissioners that she had been watching the planning and organizing for the Rolling Stones' Concert coming up this weekend, keeping in mind what has happened in other cities and she wanted to compliment the police department's staff and other people involved as she had sat through the meetings in silence and was very pleased and proud of the organizing and the way cooperative efforts are going and that nothing besides a major disaster like an earthquake could bring together so many departments like all of those of this city. She said experience has now indicated that the original fears of having the Stones Concert here were overrated and she wanted to let her colleagues know that the plans are in good shape and it appears that everything will go smoothly.

Commissioner Murphy on another subject, said she had read about a program that had gone on in Oakland for quite some time where counseling services were administered to police officers who had had a number of complaints against them for using excessive force. She said she called Lieutenant Frazier who told her that Sergeant Benner in Recruitment knew all about it.

After talking to Sergeant Benner, he informed her of what was being done and reports of violence committed by police officers indicated it reduced the

violence in that respect considerably. She said he said he would write it up for her and upon completion she planned to bring it before the Commission for discussion.

Commissioner Sanchez reported on the events of the program at Balboa High School, the Adopt a Police Car Program, and said that this morning, he and the Chief, and various school officials were at Balboa this morning to see the program get off to a succesful start. He said members of the press, TV and other news media were there and he then congratulated Sergeant Pera, Public Affairs Office, for disseminating this information to the news media because they responded in great numbers and the event was well-covered. He said again, he wanted to congratulate the Staff and the Chief for following up on this unique idea as far as better communications and maintenance with the students in regards to the Department's Police Units.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said that he wanted to report that the lastest addition to the Police Department is a new dog that is trained to sniff out narcotics. He said the dog was just purchased from the U.S. Department of Customs, graduated at the top of his class, and is now assigned to the Department's Narcotic Unit. He said he will be used primarily with Search Warrants, and his name is Tug.

The Chief also had Deputy Chief Cordes speak on the status of the Taxi Cab Permits.

Deputy Chief Cordes said that letters, registered letters return receipt requested, has been sent to prospective applicants, 23 in number, and they must reply by the 23rd of this month.

Commissioner Sanchez, after hearing from Deputy Chief Cordes , thanked him and the Chief for their reports and said the Commission had met today in Executive Session and no vote was taken.

He said secondly, there was a request by Officer Will Battle to address the Commission. He then called Officer Battle to the microphone.

Officer Will Battle,Director of the Urban Initiative Anti-Crime Program, said a number of different activities are under way, one of which has received media coverage is a Fund Raiser that will take place on October 19, 1981, at the Cannery on behalf of the North Beach Housing

Project. He said the Police Department along with the Housing Authority are primary sponsors of the Urban Initiative Anti-Crime Program which is designed to bring outside resources to the Housing Project Site and remove the thinking of tenants from that of apathy to thoughts and actions of involving themselves in helping each other. He said the monies from the fund raising will be used to purchase paint to paint the projects.

The Commissioners then thanked Officer Battle for his presentation and indicated they would make concerted attempts to attend this affair.

PUBLIC HEARING RELATIVE TO PROPOSED GENERAL ORDER B-2 "QUALIFICATIONS FOR SPECIFIC WORK UNITS."

Deputy Chief Shannon said this General Order merely sets out the medical qualifications for assignments to those units that the Department has found to be more hazardous then the general assignments in the Department. He said it sets out the specific criteria that will be used by the Police Surgeon in making his recommendations as to assignments to those units.

RESOLUTION NO. 612-81

DEPARTMENT GENERAL ORDER B-2, "QUALIFICATIONS FOR SPECIFIC WORK UNITS" - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order B-2, "Qualifications for Specific Work Units."

(Copy on file in the Police Commission Office.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER G-3, "COURT PARKING PERMITS: ANNEX PARKING LOTS." (COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED FOR ONE (1) WEEKS.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING OF SPECK CAB COMPANY'S RESPONSE TO THE PETITION OF THE VETERANS TAXICAB COMPANY AS TO ALLEGED

VIOLATIONS OF PROPOSITION K. (CONTINUED FROM THE MEETING OF AUGUST 26,1981.)

Mr. Steven Diaz from the City Attorney's Office, submitted a letter to the Commission saying that he had not been able to complete a report to the Commissioners regarding this item. He therefore recommended a continuance to November 4, 1981.

Commissioner Murphy then so moved which was seconded by Commissioner Nelder and unanimously approved.

RESOLUTION NO. 614-81

POLICE OFFICER MICHAEL REGALIA, RICHMOND POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael Regalia, Richmond Police Station, as follows:

SPECIFICATION NO. 1

Engaging in unofficerlike conduct which reflects discredit on the department.(Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Drawing a firearm in a public place not in the line of duty. (Violation of Section 14.07 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P.Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael Regalia, Richmond Police Station, is set for Wednesday, October 21, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 613-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER JOHN PROPST, TARAVAL POLICE STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer John Propst, Taraval Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer John Propst, that the date for the hearing before the Police Commission be set for November 18, 1981; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer John Propst, Taraval Police Station, is set for Wednesday, November 18, 1981 at 4:00 p.m., in Room 551, Hall of Justice.

AYES; Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Commissioner Sanchez said that he would like the Commissioners to consider for some time in the future to hold meetings at a different time. He said other Boards and Commissions meet at different times and pointed out that the Fire Department meets in the mornings every other week from 9 to 9:15. He said the Commission should maybe consider setting aside one morning per month to hold hearings on disciplinary matters. He said this might help to clear the Commission's backlog of hearings.

STATUS REPORTS IN THE MATTERS OF POLICE OFFICERS MARTY L. WAY, KEVIN DEMPSEY, AND LEONARD G. JEONG, SUPPORT SERVICES BUREAU-COMMUNICATIONS DIVISION

Mr. Stephen Bley appearing for Officer Kevin Dempsey, and Mr. Terrance Hallinan on behalf of Police Officers Marty L. Way and Leonard G. Jeong.

Mr. Stephen Bley, in giving the Commissioners an update as to the status of the officers, said the charges were dropped by the District Attorney's Office as they were about to pick a jury. He said the District Attorney announced that he was going to re-instigate the charges in the very near future.

He said he would ask the Commission, since the officers do not at this time have criminal charges pending against them and are not under suspension and are working, to have this matter trail until there is a determination by the District Attorney's Office as to what they intend to do. He said every 45 days the Commission could calendar it for a status report and he and Mr. Hallinan on those occasions could send a letter to Lieutenant Frazier to get something in the file and he could report to the Commissioners. He said if the Commission wanted some other action taken then they (Mr. Hallinan and Mr. Bley) could be notified and they would appear at the designated time rather than come every 45 days when it was calendared for status report.

Mr. Bob Martin stated that he did not believe this matter should be left just trailing as the District Attorney may decide not to re-instigate the case for another 26 months. He said he would suggest that it be calendared again in the next 30 days.

Commissioner Murphy made a motion to have the matter carried off calendar until Mr. Martin made a recommendation to the Commission for it to be placed on the calendar once again. This would be done when Mr. Martin ascertains from the District Attorney as to when he may, or may not decide to proceed once again.

This motion was seconded by Commissioner Nelder and unanimously approved.

RESOLUTION NO. 615-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER MARTY L. WAY, SUPPORT SERVICES BUREAU-COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Marty L. Way, was called, it having been set for this date; and

WHEREAS, it was brought to the attention of the Police Commission that criminal charges against Police Officer Marty L. Way has been dropped but that the District Attorney has a period of two years to re-file; therefore be it

RESOLVED, that because Police Officer Marty L. Way's criminal matter may or may not be adjudicated within the next two (2) years, the Police Commission will hereby continue the matter off calendar until notified by Mr. Robert Martin,the Department's Legal Officer, as to when it should be re-scheduled for hearing on departmental charges filed against Police Officer Marty L. Way.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 616-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER KEVIN DEMPSEY, SUPPORT SERVICES BUREAU-COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Kevin Dempsey, was called, it having been set for this date; and

WHEREAS, it was brought to the attention of the Police Commission that criminal charges against Police Officer Kevin Dempsey has been dropped, but that the District Attorney has a period of two (2) years to re-file; therefore be it

RESOLVED, that because Police Officer Kevin Dempsey's criminal matter may or may not be adjudicated within the next two years, the Police Commission will hereby continue the matter off calendar until notified by Mr. Robert Martin, the Department's Legal Officer, as to when it should be re-scheduled for hearing on departmental charges filed against Police Officer Kevin Dempsey.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 617-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER LEONARD G. JEONG, SUPPORT SERVICES BUREAU-COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Leonard G. Jeong, Support Services Bureau-Communications Division, was called, it having been set for this date; and

WHEREAS, it was brought to the attention of the Police Commission that criminal charges against Police Officer Leonard G. Jeong has been dropped, but that the District Attorney has a period of two (2) years to re-file; therefore be it

RESOLVED, that because Police Officer Leonard G. Jeong's criminal matter may or may not be adjudicated within the next two (2) years, the Police Commission will hereby continue the matter off calendar until notified by Mr. Robert Martin, the Department's Legal Officer, as to when it should be re-scheduled for hearing on departmental charges filed against Police

Officer Leonard G. Jeong.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

It was noted that Sergeant Troy Dangerfield was present and he requested to bring the Commission up to date as to what has been occurring since the Commission last met with the Housing Authority.

Sergeant Dangerfield said he was present to see if another meting could be arranged between the Police Commission and the Housing Authority Commission. He said the intent of the Housing Commission is to have the Police Commission meet with them at 440 Turk Street. He said their meetings are on the 2nd and fourth Thursdays of each month at 10:00 a.m. He then spoke about one of the things that has been a concern of the Housing Authority and that is funding for the security to be provided for the Pink Palace. He said this funding would be expected to come from the Mayor's Council on Criminal Justice. He said the Housing Authority is not a legitimate City Agency and in order to obtain funds they would have to contract through the Police Department to obtain those Criminal Justice Funds and the sooner they get that done the better.

He said the Board of Supervisors has already passed the Ordinance permitting them to obtain those funds. He said the only thing that is holding them up now is the agreement between the Police Department and the Housing Authority signed and agreed upon before they can start talking about hiring or any other thing.

The Commissioners then decided, and so moved, to meet with the Housing Authority Commission on Thursday, November 12, 1981 at 10:00 a.m., at 440 Turk Street.

The Commission then adjourned its meeting at 5:55 p.m.

SECRETARY

REGULAR MEETING

21 OCTOBER 1981

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 21, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

DOCUMENTS DEPT.

Commissioner Murphy presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of August 26, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

NORTH POINT-NORTH SIDE BETWEEN STOCKTON & POWELL - S.F.P.D. - REVOKED

a) On the north side of North Point between Stockton and Powell Streets, revoke existing 332' red zone, extending from 80' to 412' west of Stockton Street.

2598 BUSH STREET - S.F.P.D. - REVOKED

a) At 2598 Bush Street, revoke existing 22' green zone, extending from 17' to 39' east of Divisadero Street.

490-5th STREET - DENISE - S.F.P.D - REVOKED

a) At 490-5th Street, revoke existing 24' yellow zone, extending 24' south of north line.

3024 FILLMORE STREET - METAFLEUR FLORIST -REVOKED

a) At 3024 Fillmore Street, revoke existing 28' yellow zone, extending from 2' to 30' north of the south line of building.

b) Install meter.

1807-1825 DIVISADERO STREET - ALFRED HURSTON - REVOKED

a) At 1807-1825 Divisadero Street, revoke existing 22' white zone, extending from 6' south to 16' north of building line.

b) Install 15 minute parking meter.

749 TAYLOR STREET - S.F.P.D. - REVOKED

a) At 749 Taylor Street, revoke existing 22' white zone, extending from 85' south of south curb of Bush Street to 107' south of Bush Street.

b) Replace with one parking meter.

735 TAYLOR STREET - S.F.P.D. - REVOKED

a) At 735 Taylor Street, revoke existing 41' white zone, extending from 106' south of south curb of Bush Street to 147' south of Bush Street.

b) Replace with two parking meters.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 491 feet of red, white, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 618-81

ROBERTO LIMA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roberto Lima against the City and County of San Francisco in the sum of $21.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 28, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 619-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Exnese Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergant Peter Libert Crime Prevention Unit	$242.00 each	Crime Prevention Training Conference, San Diego, California, from October 1, 1981 to October 2,1981.
Police Officer Mary Petrie Crime Prevention Unit		

AYES: Commissioners Daly, Nleder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 620-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses in curred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Robert Brodnik Vice Crimes-Narcotics Division	$580.00	(Narcotic Investigation, Sacramento, California, from September 13,1981 to September 25,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 621-81

AUTHORIZING ATTENDANCE OF CORNELIUS P. MURPHY, CHIEF OF POLICE, CAPTAIN RICHARD H. TRUEB, LEGAL OFFICE, CAPTAIN RICHARD D. KLAPP, PERSONNEL AND TRAINING, SERGEANT WILLIAM KIDD, OPERATIONS CENTER, MR. ROBERT MARTIN, LEGAL OFFICE, COMMANDER GERALD C. D'ARCY, TRAFFIC AND SERGEANT ALAN W. BENNER, RECRUITMENT AND RETENTION UNIT, AT THE ANNUAL ALL COMMITTEE CONFERENCE OF THE CALIFORNIA PEACE OFFICERS ASSOCIATION IN FRESNO, CALIFORNIA, FROM NOVEMBER 1,1981 TO NOVEMBER 4,1981.

RESOLVED,that the recommendation of the Chief of Police that he, along with Captain Richard Trueb, Legal Office, Captain Richard Klapp, Personnel and Training, Sergeant William Kidd, Operations Center, Mr. Robert Martin, Legal Office, Commander Gerald C. D'Arcy, Traffic and Sergeant Alan W. Benner, Recruitment and Retention Unit, be authorized to attend the Annual All Committee Conference of the California Peace Officers Association in Fresno, California, from November 1, 1981 to November 4, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Chief Cornelius P. Murphy, Captain Richard Trueb, Captain Richard Klapp, Sergeant William Kidd, Mr. Robert Martin, Commander Gerald C. D'Arcy, and Sergeant Alan W. Benner, in a sum not to exceed $225.00 each, will be defrayed tye the San Francisco Police Department's Police Officers'

Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 622-81

AUTHORIZING ATTENDANCE OF LIEUTENANT VINCENT SENATORE, TRAFFIC DIVISION (E&I), AT THE STATEWIDE INTEGRATED TRAFFIC RECORDS SYSTEM (SWITRS) SEMINAR IN SAN JOSE, CALIFORNIA, FROM OCTOBER 19,1981 TO OCTOBER 20,1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Vincent Senatore, Traffic Division (E&I), be detailed to attend the Statewide Integrated Traffic Records System (SWITRS) Seminar, conducted by the California Highway Patrol in San Jose, California from October 19, 1981 to October 20, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Senatore, will be directly reimbursed to Lieutenant Senatore by the State of California, Office of Traffic Safety.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 623-81

AUTHORIZING ATTENDANCE OF SERGEANT DAVID SHEEHAN, TRAFFIC DIVISION (E&I), AT THE TRAFFIC INSTITUTE RETRAINING SEMINAR IN EVANSTON, ILLINOIS, FROM OCTOBER 20, 1981 TO OCTOBER 23, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant David Sheehan, Traffic Division (E&I), be detailed to attend the Traffic Institute Retraining Seminar, in Evanston, Illinois, from October 20, 1981 to October 23, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant David Sheehan in a sum not to exceed $528.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 624-81

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR ROBERT BULLARD, VICE CRIMES,NARCOTICS UNIT, AT THE NARCOTIC INVESTIGATION COURSE, IN SACRAMENTO, CALIFORNIA, FROM NOVEMBER 8, 1981 TO NOVEMBER 20,1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Robert Bullard, Vice Crimes, Narcotics Unit, be detailed to attend the Narcotic Investigation Course in Sacramento, California, from November 8, 1981 to November 20,1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/ Inspector Robert Bullard in a sum not to exceed $580.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 625-81

AUTHORIZING ATTENDANCE OF POLICE OFFICER MICHAEL O'BRIEN, POLICE RANGE, AT THE FIREARMS INSTRUCTORS' COURSE IN GILROY, CALIFORNIA, FROM NOVEMBER 9,1981 TO NOVEMBER 20,1981.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Michael O'Brien, Police Range, be detailed to attend the Firearms Instructors' Course at Gilroy, California, from Nvoember 9, 1981 to November 20, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer Michael O'Brien, in a sum not to exceed $614.00, will be defrayed by the San Francisco Police Department's Police Officers' Association.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

At this time Commissioner Murphy announced that the Commission had met earlier today in Executive Session and that no vote had been taken.

POLICE COMMISSION REPORT

Commissioner Daly mentioned that she wanted to congratulate the Police Department for the excellent manner in which they handled the Rolling Stones Concert the past weekend. She said she would hope that there would be as much success in handling the upcoming Halloween weekend.

CHIEF'S REPORT TO THE POLICE COMMISSION

No report was made by the Chief.

AMENDING CHAPTER VIII, SAN FRANCISCO MUNICIPAL POLICE CODE, BY ADDING SECTION 366.1 THERETO, RELATING TO THE ISSUANCE OF PERMITS FOR ATHLETIC EVENTS CONDUCTED ON PUBLIC STREETS. (CONTINUED FROM THE MEETING OF OCTOBER 7, 1981.) - CONTINUED OFF CALENDAR.

Deputy Chief Ryan in speaking on item #11, gave the Commissioners an update as to the progress of the Athletic Events Ordinance Proposal. It was called and out of order because he had to attend another pressing assignment.

After his presentation Commissioner Nelder said that it was his understanding that the Mayor's Office is making some study about the creation of an Events

City here in San Francisco and that it might make a lot more sense to put this item off calendar until that recommendation is received and then a joint study could be made by Deputy Chief Ryan and, thereafter, submitted to the Commission.

Deputy Chief Ryan then said the events at Candlestick Park last weekend resulted in 32 minor arrest, more for drunkenness with an order to release when sober. He said there were a couple of armed robbery arrest made along with some other incidental arrest but, overall, the number was 32 arrest for the two days with two police incidents that could be associated with the concert itself. He said of those, one was the robbery in which the Department made an arrest and the others were two auto boostings and an arrest was made for those also.

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Toler said that each time he has chaired the Awards Committee he has been impressed with the high caliber of officers that are providing police services for the citizens of this city. He said these officers were professional in their duties, they were courageous, and their degree of restraint was unbelievable in most of the incidents cited. He said the Committee recommended the awarding of two Gold, five Silver, and seventeen Bronze Medals.

He then read an incident which he felt his fellow Commissioners would agree was more than outstanding. Briefly it went: "On Tuesday, March 31, 1981, Officers Boyd and Gervasi were seriously wounded in exchange of gunfire during an arrest of an armed narcotics suspect. The suspect when told he was under arrest fire point blank at the officers. One bullet struck Officer Boyd in the face, another bullet struck Officer Gervasi in the upper part of his left arm. Both Officers went down, but despite the seriousness of their wounds, managed to get to their feet and return the suspect's gunfire and capture him after a brief struggle. For this outstanding piece of police work the Awards Committee of the San Francisco Police Department gave them a standing ovation and awarded them Gold Medal of Valor."

The Commissioner then said the Charter provides for the awarding to police officers for meritorious conduct in the line of duty a cash award of up to a maximum of one month's salary. He continued by saying he would therefore move that Police Officers Michael J. Boyd and James S. Gervasi be awarded one month's salary each for their outstanding meritorious service to the citizens of this city in bringing this vicious criminal to justice.

The motion was seconded by Commissioner Nelder and unanimously approved.

The Commissioners then set November 18th to make the presentation of the awards.

RESOLUTION NO. 675-81

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal, under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, October 16, 1981:

Police Officer Michael J. Boyd.....Gold Medal of Valor

Police Officer James S. Gervasi....Gold Medal of Valor

Sergeant Thomas J. Gerard..........Silver Medal of Valor

Sergeant John R. Troche............Silver Medal of Valor

Police Officer David M. Alex.......Silver Medal of Valor

Police Officer Daniel P. Gardner...Silver Medal of Valor

Police Officer Thomas M. O'Connor..Silver Medal of Valor

Sergeant Charles E. Warren.........Bronze Medal of Valor

Inspector David R. Toschi..........Bronze Medal of Valor

Police Officer Stanley H.Buscovich.Bronze Medal of Valor

Police Officer Donald Clyburn......Bronze Medal of Valor

Police Officer James S. Gervasi....Bronze Medal of Valor

Police Officer Kevin M. Gotchet....Bronze Medal of Valor

Police Officer Charles J. Keohane..Bronze Medal of Valor

Police Officer Michael D. Lee......Bronze Medal of Valor

Police Officer Daniel J. May.......Bronze Medal of Valor

Police Officer Catherine B. McKulsky.......Bronze Medal of Valor

Police Officer Mary R. Nilan.......Bronze Medal of Valor

Police Officer Randolph M. Radosevich.....Bronze Medal of Valor

Police Officer Theodore A. Schlink III....Bronze Medal of Valor

Police Officer Theodore A. Schlink III....Bronze Medal of Valor

Police Officer James N. Speros.....Bronze Medal of Valor

Police Officer George S. Stasko....Bronze Medal of Valor

Police Officer Richard P.Wallett...Bronze Medal of Valor

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 676-81

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission on Wednesday, October 21, 1981; and

WHEREAS, Chief of Police Cornelius P. Murphy has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officer Michael J. Boyd, and Police Officer James S. Gervasi, be, and they are hereby awarded Gold Medals of Valor and granted a reward of one month's salary each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Thomas J. Gerard, Sergeant John R. Troche, Police Officer David M. Alex, Police Officer Daniel P. Gardner, and Police Officer Thomas M. O'Connor, be, and they are hereby awarded Silver Medals of Valor and granted a reward of $100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Charles E. Warren,

Inspector David R. Toschi, Police Officer Stanley H. Buscovich, Police Officer Donald Clyburn, Police Officer James S. Gervasi, Police Officer Kevin M. Gotchet, Police Officer Charles J. Keohane, Police Officer Michael D. Lee, Police Officer Daniel J. May, Police Officer Catherine B. McKulsky, Police Officer Mary R. Nilan, Police Officer Randolph M. Radosevich, Police Officer Theodore A. Schlinkk III (two Bronze Medals of Valor), Police Officer James N. Speros, Police Officer George S. Stasko, and Police Officer Richard P. Wallett, be, and they are hereby awarded Bronze Medals of Valor, and granted a reward of $50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

PUBLIC HEARING RELATIVE TO DEPARTMENT GENERAL ORDER G-3, "COURT PARKING PERMITS: ANNEX PARKING LOTS."

Deputy Chief Shannon making the presentation of this item said this General Order was originally issued as a Special Order to see if it would give better parking space for officers appearing in court. He said it has worked out and therefore, is now being issued as a General Order and he, therefore, recommended its approval.

RESOLUTION NO. 626-81

DEPARTMENT GENERAL ORDER G-3, "COURT PARKING: ANNEX PARKING LOTS." - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order No. G-3,"Court Parking Permits: Annex Parking Lots."

(Copy on file in the Police Commission Office)

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

STATEMENT OF POLICE DEPARTMENT POLICY REGARDING COMPLIANCE WITH SECTION 1080.1, MUNICIPAL POLICE CODE. - CONTINUED TWO (2) WEEKS.

Police Officer Lamont Suslow of the Department's Permit Bureau, said that this item is a request by the Chief of Police that the Commission adopt a resolution as a Police Commission Policy for dealing with a form of Insurance which would be allowed to be filed by Motor Vehicle For Hire operators of Taxi Cabs.

Discussion was held with presentations made by persons in the audience, after which it was pointed out that some of the other cab companies and small owners not present should be given a chance to appear and put forth their ideas and concerns about this policy.

Commissioner Nelder so moved, Commissioner Toler seconded and it was unanimously approved.

The matter was then continued for two (2) weeks.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ISSUE JITNEY BUS PERMITS TO THE BELOW LISTED APPLICANTS FOR THE NEWLY ESTABLISHED DOWNTOWN/FISHERMAN'S WHARF ROUTE:

Edward Azrilevich
Eduard Cheryak
Paul W. Hau
Gin Toy Wong
Mark Berman
Alexander S. Dashevsky
Tse San Kwan

Commissioner Nelder said before the Commission proceeds on this item he would move for a correction on the Chief's transmittal letter.

Chief Murphy said he has at this time corrected the letter. He said there was one cover letter written for all of the recommendations and that each recommendation was placed on the applicants application.

He said rather than write a cover letter for each applicant the letter should have read in the recommendation 'Granted or Denied as indicated on the application.'

The Commissioners then heard testimony from each applicant as he appeared on the calendar and noted that they had met all of the Commission's requirements and thereby granted each a Jitney Permit.

Mr. William Lazar, President of Luxor Cab, requested a week's extension prior to these applicants putting their permits into operation as he felt there was a need to get a clarification from the Board of Supervisors as to the intent of the legislation (Ordinance) they passed to establish the Fisherman's Wharf Jitney Bus Route.

The Commissioners then acknowledged Mr. Lazar's request and instructed the Department's Legal Officer Mr. Robert Martin, to check with the City Attorney and then report back to the Commission in one week.

The permittees were then advised that although the permits has now been granted to them they should refrain from placing them into operation for at least another week.

The Commission then approved the following resolution:

RESOLUTION NO. 627-81

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR OPERATION OF JITNEY BUSES ON NEWLY ESTABLISHED FISHERMAN'S WHARF ROUTE. - APPROVED

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of jitney buses on the newly established Fisherman's Wharf Route in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on May 20, 1981, and hearings continued at intervals until and including October 21, 1981; and

WHEREAS, applicants appeared before the Commission and presented documentary evidence in support of their applications; and

WHEREAS, various persons testified in opposition to the granting of additional permits and documentary evidence in support of their position was presented to the Commission; and

WHEREAS, police department staff, at the request

of the Police Commission conducted a survey of the prevailing conditions involving jitney bus transportation in the City and County of San Francisco, and submitted documentary evidence to assist the Commission in arriving at its decision; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicant shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, the Commission has determined that since the establishment of the Fisherman's Wharf Route, the number of jitney bus permits as recommended by the Board of Supervisors should be no more than eight (8) in number, for a six-month trial period; therefore be it

RESOLVED, that seven (7) jitney bus permits for the recently established Fisherman's Wharf Route shall be granted under, and shall be revocable under, criteria and standards published by the Commission in conjunction with the applicable sections of the San Francisco Municipal Code, and shall be granted to the below-named applicants:

Edward Azrilevich

Mark Berman

Eduard Cheryak

Alexander S.Dashevsky

Paul W. Hau

Tse San Kwan

Gin Toy Wong

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE APPLICATION TO OPERATE A JITNEY BUS FOR THE NEWLY ESTABLISHED DOWNTOWN/FISHERMAN'S WHARF ROUTE, SUBMITTED BY EDMUND L. JUNG, BE, DENIED.

Officer Suslow from the Permit Bureau advised the Commission that Mr. Jung, subsequently to tonight's hearing,

had submitted a letter requesting to withdraw his application.

He said the Chief's recommendation would be one of approval of that withdrawal. He said, also there was a letter in the Commission's possession submitted by an individual by the name of Burt Lustig who also has written a letter requesting his application be withdrawn.

Mr. Lustig's request was accepted and a letter was submitted by the Commission attesting to this fact even though Mr. Lustig did not make the Commission's calendar. However, Mr. Jung was on the Commission Calendar and a resolution accepting his and Mr. Lustig's withdrawal was written and approved as follows:

RESOLUTION NO. 628-81

NOTIFICATION OF REVOCATION OF MOTOR VEHICLE FOR HIRE PERMIT - WITHDRAWN

WHEREAS, on October 14, 1981, the Police Commission sent a communication, certified mail, return receipt requested, to Mr. Richard Fogel, notifying him that it would conduct a hearing on October 21, 1981, to determine whether it should direct the Police Department to revoke his permit and/or license for abandonment of his taxicab permit; and

WHEREAS, Police Officer Lamont Suslow of the San Francisco Police Department's Permit Bureau, appeared before the Police Commission and stated that Mr. Fogel had complied with the provisions of Section 1081 of the Police Code, and therefore, requested withdrawal of the Chief's recommendation to revoke Mr. Fogel's permit; therefore be it

RESOLVED, that the recommendation of the Chief of Police for the revocation of the motor vehicle for hire taxicab permit of Mr. Richard Fogel, be, and the same hereby withdrawn.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

PUBLIC HEARING RELATIVE TO PROPOSED SECONDARY EMPLOYMENT, GENERAL ORDER B-3, AS AMENDED. (CONTINUED FROM THE MEETING OF JULY 29, 1981.) - CONTINUED FOR TWO (2) WEEKS.

Deputy Chief Shannon said that he received a phone

call from Mr. Bob Barry, the President of the Police Officers' Association, requesting a two (2) week extension as Mr. Barry had sent some letters to various employers and has not at this time received a response from them. He continued by saying that Mr. Barry indicated that he feels he would have the answers in two (2) weeks and the Police Department, thereafter, will either recommend the adoption of the General Order as written, or Mr. Barry will have a specific recommendation requesting a change.

Commissioner Daly moved for a two (2) week extension and Commissioner Nelder seconded, it was then unanimously approved.

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL REGALIA, RICHMOND POLICE STATION

Continued to November 18th for setting at the request of Mr. Stephen Bruce Bley.

Moved for approval by Commissioner Nelder and seconded by Commissioner Toler.

It was then unanimously approved.

RESOLUTION NO. 630-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL REGALIA, RICHMOND POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Michael Regalia, Richmond Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Michael Regalia, that the date for the hearing before the Police Commission is set for November 18, 1981; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Michael Regalia is set for Wednesday, November 18, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER DARYL P. WILLIAMS, MUNI TRANSIT POLICE DIVISION

Continued to November 18th for setting at the request of Mr. Stephen Bruce Bley.

Moved for approval by Commissioner Nelder and seconded by Commissioner Toler.

It was then unanimously approved.

RESOLUTION NO. 631-81

POLICE OFFICER DARYL P. WILLIAMS. MUNI TRANSIT POLICE DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Daryl P. Williams, Muni Transit Police Division, as follows:

SPECIFICATION NO. 1

Failure to prevent crime, enforce al criminal laws, penal ordinances and all laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to prevent crime, enforce all criminal laws, penal ordinances and all laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Conduct unbecoming an officer, reflecting discredit upon the San Francisco Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to answer questions propounded

by a superior officer. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Daryl P. Williams, Muni Transit Police Division, is set for Wednesday, November 18, 1981, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

RESOLUTION NO. 632-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

WHEREAS, the status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Station, was called, it having been set for this date; and

WHEREAS, a communication was received from Mr. George G. Walker, attorney for Police Officer Lucien R. Senhaux, requesting a continuance in this matter; therefore be it

RESOLVED, that a status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Station, is hereby set for Wednesday, December 2,1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly,Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

REQUEST FOR A LEAVE OF ABSENCE IN THE MATTER OF

POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

Commissionre Nelder moved that the Commission approve the request for leave of absence for only 30 days and also that the matter be set periodically in that regard until Mr. Martin researches the Commission's position on granting leave of this nature where a member is suspended pending hearing of disciplinary charges before the Police Commission.

RESOLUTION NO. 682-81

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer Lucien R. Senhaux, Southern Police Station, was suspended without pay effective Monday, July 20, 1981 at 0001 hours, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Lucien R. Senhaux, Southern Police Station, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Lucien R. Senhaux, Southern Police Station, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing October 17, 1981, until his hearing his held before the Police Commission.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

HEARING OF POLICE OFFICER DONALD RAMIREZ, RICHMOND POLICE STATION

The hearing of Police Officer Donald Ramirez, Richmond Police Station, was called, it having been set for this date; Police Officer Donald Ramirez was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating

liquor to such an extent that he was unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to comply with the provisions of California Vehicle Code Section 20002(a) after involvement in an automobile accident. (Violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Bringing discredit upon the San Francisco Police Department by having been arrested for violating Sections 20002(a) (Leaving the scene of a property damage accident) and Section 23102(a) (Driving under the influence of an alcoholic beverage) of the California Vehicle Code (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Donald R. Ramirez appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the charges was waived.

Mr. Robert Martin and Mr. Stephen Bruce Bley stipulated that the case be submitted on the basis of the facts contained in the police report. However, Commissioner Nelder advised against the acceptance of the Police Report. Mr. Robert Martin explained what actually occurred as to the officer's involvement in violation of the Rules and Procedures.

Mr. Stephen Bruce Bley, in a statement on behalf of his client, Officer Donald Ramirez, admitted the allegations contained in the presentation made by Mr. Robert Martin, but offered mitigating circumstance.

The Commission then requested a recommendation from the Chief of Police as to type of punishment to be rendered.

The Commission took the matter under submission, and then recessed from 2100 hours to 2109 hours, after which the following decision was adopted:

RESOLUTION NO. 633-81

DECISION - HEARING OF POLICE OFFICER DONALD R. RAMIREZ, RICHMOND POLICE STATION

WHEREAS, on August 27, 1981, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Donald R. Ramirez, as follows:

SPECIFICATION NO. 1

a) At all times mentioned herein, Officer Donald R. Ramirez was and is a police officer employed by the City and County of San Francisco;

b) As a police officer with the San Francisco Police Department Officer Ramirez is responsible for knowing and conforming with the Rules and Procedures of the San Francisco Police Department;

c) That on April 12, 1981, at approximately 2240 hours in the County of Marin and in the vicinity of Paradise Drive approximately one-quarter mile East of Main Street in the City of Tiburon, Officer Ramirez was operating his 1979 Datsun automobile, License No. 549 YUD;

d) While operating said automobile Officer Ramirez struck a parked vehicle causing moderate property damage to both vehicles;

e) That a police officer of the Tiburon Police Department arrived at the scene of the accident at 2243 hours;

f) That upon investigation the Tiburon Police Officer determined that the driver responsible for the accident had left the scene prior to his arrival;

g) The abovementioned vehicle driven by Officer Ramirez was stopped approximately one-half mile from the scene of the accident;

h) An investigation determined that the physical evidence at the scene matched the damaged and missing parts of the vehicle driven by Officer Ramirez;

i) Subsequent investigation determined that Officer Ramirez was the person responsible for the accident and that he was intoxicated and unable to exercise police powers;

j) The conduct of Officer Ramirez in being so intoxicated that he was unable to exercise police powers constitutes a violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department; which states that a member:

2.125 "Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2

a) Each and every allegation continaed in paragraphs (a) through (i) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;

b) The above conduct of Officer Ramirez in failing to identify himself and leaving the scene after becoming involved in a motor vehicle accident resulting in property damage constitutes a violation of California Vehicle Code Section 20002(a) which states:

"The driver of any vehicle involved in an accident resulting in damage to any property including vehicles shall immediately stop the vehicle at the scene of the accident and shall then and there either:

1) Locate and notify the owner or person in charge of such property of the name and address of the driver and owner of the vehicle involved, or

2) Leave in a conspicuous place on the vehicle or other property damaged a written notice giving the name and address of the driver and of the owner of the vehicle involved, and a statement of the circumstances thereof and shall without unnecessary delay notify the police department of the city wherein the collision occurred or, if the collision occurred in unincorporated territory, the local headquarters of the Department of the California Highway Patrol.

Any person failing to comply with all the requirements of this section is guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County Jail for not to exceed six months or by a fine of not to exceed five hundred ($500) dollars or by both."

c) The conduct of Officer Donald Ramirez in failing to carry out his duty in preventing crimes, and leaving the scene of an accident without complying with the law constitutes a violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department which states that:

2.01 "The Police Department and its officers shall have the power and it is their duty to:

.1 Prevent crimes.
.2 Protect life and property.
.3 Detect and arrest offenders.
.4 Preserve the public peace.
.5 Enforce all penal laws and ordinances.

SPECIFICATION NO. 3

a) Each and every allegation contained in paragraphs (a) through (i) of Specification No. 1 and paragraph (b) of Specification No. 2, are hereby incorporated by reference as though each were fully set forth herein;

b) That the observations and investigation of the Tiburon police officer as contained in this police report indicated that Officer Ramirez was intoxicated and had failed to identify himself after becoming involved in a motor vehicle accident;

c) That the above stated conduct constitutes a violation of Sections 23102(a) and 20002(a) of the California Vehicle Code for which Officer Ramirez was arrested, booked and incarcerated;

d) By the above stated conduct in being so arrested for violation of the California Vehicle Code Officer Ramirez did bring discredit upon the San Francisco Police Department thereby violating Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states that:

> 2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct, triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 21, 1981, and that on Wednesday, October 21, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Donald R. Ramirez, Richmond Police Station, as contained in Specification No. 1, violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Donald R. Ramirez, Richmond Police Station, as contained in Specification No. 2, violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Donald R. Ramirez, Richmond Police Station, as contained in Specification No. 3, violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Donald R. Ramirez, has violated Specification No. 1, Section 2.125, Specification No. 2, Section 2.01, and Specification No. 3, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations Police Officer Donald R. Ramirez shall be suspended for ninety (90) calendar days, sixty (60) of which shall not be imposed, but shall accompany a one-year Probationary Status; and be it further

RESOLVED, that Police Officer Donald R. Ramirez, Richmond Police Station, is hereby suspended for thirty (30) calendar days without pay commencing Thursday, October 22, 1981 at 0001 hours and terminating on Friday, November 20, 1981 at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting at 7:17 p.m.

SECRETARY

28 OCTOBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice,850 Bryant Street,on Wednesday, October 28, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

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Commissioner Sanchez presiding.

The Commission called this item out of order at the request of the Chief of Police.

CHIEF'S REPORT TO THE POLICE COMMISSION

Presentation of Traffic Officer of the Month Award.

Mr. Simon of the Chamber of Commerce said he was pleased to be here again to award the Traffic Officer of the Month Award to the San Francisco Police Department's most deserving officer.

This month, he said, it will go to Gary Aicardo of Ingleside Police Station. He said what is being awarded the officer this evening is accommodations for two, for two evenings at the Mark Hopkins, dinner for two at L'Etoile on Nob Hill and dinner for two at the Washington Bar and Grill.

Commissioner Murphy said that the Commission is very proud of this officer's achievements in gaining recogition to receive this award and complimented the Captain of Ingleside Station, Captain John Jordan, for the number of men from his station receiving this award.

PRESENTATION TO MAYOR FEINSTEIN:

A summary of the San Francisco Police Department's Fiscal Year 1980-81 M.B.O. Performance Data

This matter was continued at the request of the Mayor to November 4, 1981.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

155 HERMANN - U.S. ASSAY OFFICE

a) At 155 Hermann, install a 74' yellow zone, extending from east driveway red zone 74' west of same.

137 TURK STREET - CHINATOWN MARKETING CORP.

a) At 137 Turk Street, install a 22' yellow zone, extending from 20' to 42' east of west property line.

b) Remove meter 117.

3699-19th STREET - THE GOLDEN GATE LUTHERAN CHURCH

a) At 3699-19th Street, install a 22' blue zone, extending from west property 22' east of same.

601 DOLORES STREET - THE GOLDEN GATE LUTHERAN CHURCH

a) At 601 Dolores Street, revoke existing 40' white zone, extending 74' south of the north property line.

b) At 601 Dolores Street, replace with 40' white zone, extending from north property line 40' south of same.

3689-19th STREET - S.F.P.D. - REVOKED

a) At 3689-19th Street, revoke existing 36' white zone, extending from east line of building.

301-28th AVENUE - S.F.P.D. - REVOKED

a) At 301-28th Avenue, revoke existing 21' green zone, extending from 3' to 24' south of California Street.

625 SCOTT STREET - S.F.P.D. - REVOKED

a) At 625 Scott Street, revoke existing 26' green zone, extending 45' south of north property line.

6001 CALIFORNIA STREET - S.F.P.D. - REVOKED

a) At 6001 California Street, revoke existing 21' green zone, extending from 3' to 24' west of 28th Avenue.

199 ANZA VISTA - ANZA SCHOOL (WALLENBERG HIGH SCHOOL) - REVOKED

a) At 199 Anza Vista, revoke existing 150' white zone, extending from 30' to 180' south of Terra Vista.

149 TURK STREET - S.F.P.D. - REVOKED

a) At 149 Turk Street, revoke existing 30' yellow zone, extending 30' west of the east property line of that address.

796 PINE STREET - PINE SUITES - DENIED

a) At 976 Pine Street, install a 22' white zone, extending from 18' to 40' east of west property line. DENIED.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

REVOKED, that the recommendations of the Traffic Bureau on the revocation of 324 feet of white, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 635-81

DUANE BOYD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Duane Boyd against the City and County of San Francisco in the sum of $670.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 20, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 636-81

KEVEN COCHARY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keven Cochary against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 24, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 637-81

CHRIS CANNON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris Cannon against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 23, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 638-81

WILLIAM E. GLENNON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William E. Glennon against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 639-81

WILLIAM PAUL HETER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Paul Heter against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 640-81

EPSTEIN LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Epstein Lee against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 25, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 641-81

DAVID LEWIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Lewis against the City and County of San Francisco in the sum of $51.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 20, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 642-81

HENRY H. MAGINNISS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Henry H. Maginniss against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 27, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 643-81

VIRGINIA G. MORGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Virginia G. Morgan against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 13, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 644-81

CHRISTOPHER MORITZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christopher Moritz against the City and County of San Francisco in the sum of $25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 23, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 645-81

MOHAMAD RAHIM RAHNAMA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mahamad Rahim Rahnama against the City and County of San Francisco in the sum of $90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 30, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 646-81

RONA FRIEDMAN (IN PRO PER)

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 389-659 against the City and County of San Francisco in the sum of $45.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 22, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 647-81

NATIONWIDE INSURANCE COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of the Nationwide Insurance Company against the City and County of San Francisco in the sum of $2,678.89 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 5, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 648-81

WILLIE JOHNSON AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Willie Johnson in the sum of $3,500.00 in Superior Court Action No. 758-664 entitled, "Willie Johnson v. City and County of San Francisco, William C. Scheffler, Charles Warren, Frank Luttican, John Chestnut, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 3, 1979

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 649-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant William Scheffler Tactical Division	$290.00 each	Executive Protection Course, Sacramento, California, from September 28, 1981 to October 2, 1981.
Sergeant Gregory Cash Tactical Division		
Sergeant Cornelius Crowley Tactical Division		
Sergeant Richard Holder Tactical Division		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 650-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector Thomas Arnold General Works Detail	$290.00 each	Crimes Against the Elderly, Sacramento, California, from September 28,1981 to October 2, 1981.
Sergeant/Inspector Victor Fleming General Works Detail		
Sergeant/ Inspector Bruce Lorin General Works Detail		
Sergeant Dennis Gustafson Community Services Division		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 651-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Michael Kemmitt Vice Crimes Unit	$290.00 each	(Gambling Investigation Course, Sacramento, California, from September 28, 1981 to October 2, 1981.
Assistant Inspector Joseph Pieralde Vice Crimes Unit		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 652-81

AUTHORIZING ATTENDANCE OF CAPTAIN RICHARD TRUEB, SERGEANT EDMUND PECINOVSKY, SERGEANT WILLIAM GAY, SERGEANT GARY PETERS, CIVILIAN ATTORNEY LAWRENCE WILSON AND CIVILIAN ATTORNEY ROBERT MARTIN, LEGAL OFFICE, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION TRAINING SEMINAR-1981 LEGAL UPDATES, IN OAKLAND, CALIFORNIA ON NOVEMBER 13, 1981.

RESOLVED, that the recommendation of the Chief of Police that Captain Richard Trueb, Sergeant Edmund Pecinovsky, Sergeant William Gay, Sergeant Gary Peters, Civilian Attorney Lawrence Wilson and Civilian Attorney Robert Martin, Legal Office, be detailed to attend the California Peace Officers Association Training Seminar-1981 Legal Updates, in Oakland, California, on November 13, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Trueb, Sergeant Pecinovsky, Sergeant Gay, Sergeant Peters, Civilian Attorney Wilson and Civlian Attorney Martin in a sum not to exceed $20.00 each, will be defrayed by P.O.S.T., for sworn personnel, and by the Department Training Fund for civilian personnel.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 653-81

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTORS DOUGLAS RAMSEY AND JAMES LONG, "S" SQUAD AND SERGEANT/INSPECTOR CHARLES BREWSTER, ROBBERY DETAIL, AT THE SPECIALIZED SURVEILLANCE EQUIPMENT TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM NOVEMBER 16, 1981 TO NOVEMBER 20,1981.

RESOLVED, that the recommendation of the Chief of

Police that Sergeant/Inspectors Douglas Ramsey and James Long, "S" Squad and Sergeant/Inspector Charles Brewster, Robbery Detail, be detailed to attend the Specialized Surveillance Equipment Course in Sacramento, California, from November 16, 1981 to November 20, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspectors Ramsey and Long, and Sergeant/Inspector Brewster, in a sum not to exceed $290.00 wach, will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 654-81

AUTHORIZING ATTENDANCE OF SERGEANT JOHN MINOLI AND POLICE OFFICER JEFFREY BARKER, LEGAL OFFICE, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION TRAINING SEMINAR-1981 LEGAL UPDATES, IN SAN JOSE, CALIFORNIA, ON NOVEMBER 12, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant John Minoli and Police Officer Jeffrey Barker, Legal Office, be detailed to attend the California Peace Officers Association Training Seminar-1981 Legal Updates, in San Jose, California, on November 12, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Minoli and Officer Barker, in a sum not to exceed $20.00 each, will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 655-81

AUTHORIZING ATTENDANCE OF SERGEANT MICHAEL SEYBOLD AND POLICE OFFICER HOWARD BERGMARK, LEGAL OFFICE, AT THE CALIFORNIA PEACE OFFICERS ASSOCIATION TRAINING SEMINAR-1981 LEGAL UPDATES, IN SANTA ROSA, CALIFORNIA ON DECEMBER 7, 1981

RESOLVED, that the recommendation of the Chief of

Police that Sergeant Michael Seybold and Police Officer Howard Bergmark, Legal Office, be detailed to attend the California Peace Officers Association Training Seminar-1981 Legal Updates, in Santa Rosa, California, on December 7, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Seybold and Officer Bermark in a sum not to exceed $20.00 each, will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 656-81

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST RICHARD GRZYBOWSKI, CRIMINALISTICS DIVISION, AT THE CALIFORNIA ASSOCIATION OF CRIMINALISTS/NORTHWEST ASSOCIATION OF FORENSIC SCIENTISTS SEMI-ANNUAL SEMINAR IN LAKE TAHOE, CALIFORNIA, FROM NOVEMBER 4, 1981 TO NOVEMBER 7, 1981.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Richard Grzybowski, Criminalistics Division, be detailed to attend the California Association of Criminalistics/Northwest Association of Forensic Scientists Semi-Annual Seminar, in Lake Tahoe, California, from November 4, 1981 to November 7, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Criminalist Grzybowski, in a sum not to exceed $350.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

The Commissioners had questions as to the new procedures regarding recently published reports as to prostitutes revealing who their pimps are; Details as to how one of the police officers involved in getting arrested along those same lines had so much free time to get himself involved in those matters; and what decisions had been made on a letter from the Department of Public Health as to the unsanitary conditions of the Potrero

Police Station.

After receiving the Chief's response to these questions, the Commissioners moved to hear added item #11.

RESOLUTION NO. 657-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $75,000 TO FUND VARIOUS CAPITAL IMPROVEMENTS AT THE POLICE ACADEMY, LOCATED AT 2055 SILVER AVENUE.

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of $75,000 to fund various capital improvements at the Police Academy at 2055 Silver Avenue.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

The Commissioners then on another subject, decided to calendar for discussion at next week's meeting the Chief's Task Force Proposals.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said for his report tonight he would have Mr. Joseph Botka, Chief Probation Officer of the Juvenile Court, address the Commission on the subject of Youthful Status Offenders.

Mr. Botka said that the Board of Supervisors on August 31, 1981, passed a resolution urging the Mayor through the Mayor's Criminal Justice Council to look into the establishment of Shelter Care Facilities and Services for Status Offenders in the community.

He said this action has grown out of a change of the law in 1977 which called for the separation of Status Offenders, those who are uncontrolled by parents, i.e., truants,runaways, and curfew violators to be separated from those who have committed criminal types of offenses. As a result he said they did set up open facilities for the Status Offenders where they would not be in a locked setting where the delinquent children are held.

After further discussion the Commission then adopted the following resolution:

RESOLUTION NO. 634-81

RECOMMENDATION OF THE CHIEF OF POLICE THAT STATUS OFFENDERS WHO ARE TAKEN INTO CUSTODY BY MEMBERS OF THE DEPARTMENT BE TAKEN TO THE PROBATION OFFICER, IN COMPLIANCE WITH THE WELFARE AND INSTITUTION CODE OF THE STATE OF CALIFORNIA - APPROVED.

Be it resolved, that it is the policy and practice of the San Francisco Police Department that status offenders who are taken into custody by members of the department be taken to the probation officer in compliance with the Welfare and Institutions Code by the State of California, and that although we support community-based organization involvement in a program to serve status offenders, we feel that the probation officer should be directly involved as the primary contact between the Police Department and any community-based organizations.

AYES: Commissioners Daly, Nelder, Toler, Murphy

ABSENT: Commissioner Sanchez

AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE, BY ADDING SECTION 202.D THERETO, PROHIBITING PARKING AT DISABLED OR BROKEN PARKING METERS.

Commander D'Arcy,in speaking to this item, said for a number of years this city has had a problem with meters being jammed because of the limited number of parking places available.

He then had Sergeant John Newlin explain the proposal to eliminate this problem.

Sergeant Newlin said that if the proposed ordinance is adopted on a 6 month trial basis, it would free up at least 544 parking spaces where such jamming of meters occur on a daily basis.

After further discussion and demonstration as to how the problem would be solved, the Commission adopted the following resolution:

RESOLUTION NO. 669-81

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE, BY ADDING SECTION 202.D THERETO, PROHIBITING PARKING AT DISABLED OR BROKEN PARKING METERS.

WHEREAS, there are 15,853 parking meters in San Francisco; and

WHEREAS, in an average month, 13,000 of these meters are disabled for some period of time, requiring that 17 persons be employed to repair those disabled meters; and

WHEREAS, investigation by the San Francisco Police Department and the Department of Electricity reveals that the vast majority of these disabled meters have been deliberately jammed, causing a substantial loss of revenue to the City and defeating the purpose of timed, metered parking places; and

WHEREAS, a change in the Traffic Code forbidding motorists from parking at disabled meters would eliminate the incentive for jamming meters,

THEREFORE, be it resolved that the Police Commission requests that the City Attorney approve as to form the attached resolution amending the Municipal Traffic Code,adding thereto Section 202D and forward the proposed amendment to the Clerk of the Board of Supervisors for adoption.

(Copy on file in the Office of the
Police Commission.)

AYES: Commissioners Daly, Nelder,Toler,
Murphy, Sanchez

POLICE COMMISSION REPORT

Recommendation of the Chief of Police that the Police Commission issue or deny Taxicab Permits to applicants in the order of the recommendation listed behind their names.

Officer Lamont Suslow of the Permit Bureau, said there are 23 applicants to be considered. He said the Department had prepared a list of the names and

recommendations by the Chief for the issuance or denial of the taxicab permits behind each applicants name.

Officer Suslow said that 18 of the 23 applicants has been recommended to be issued a taxi permit and 5 denied.

The Commission thereafter, called each individual in chronological order.

Applicants who were granted permits were also advised that they would have a period of 60 days commencing October 29, 1981, within which to meet the code requirements and activate their permits.

List of applicants:

1. Dodds, James R.
2. Rivera, Querida Mia
3. Rhee, Doo Yong
4. Bajada, Jose L.
5. Singh, Mahinder
6. Cook, Thomas J.
7. Siegel, Howard
8. Scheelke, Charles R.
9. Wallace, Richard A.
10. Coop, Brian P.
11. Chung, Kyu Y.
12. Thomas, Cornelius F.
13. Trad, George
14. O'Falahee, Sean
14½. Kanstoroom, Paul
15. Lim, Jack G.
16. Horning, Harry J.
17. Boyles, John P.
18. Vo, Cam Van
19. Maldonado, John J., Sr.

20. Brosnan, Thomas P.

21. Lloyd, Harold W.

22. George, Anthony G.

Mr. Cornelius Thomas, applicant number 12, appeared on his own behalf and attempted to prove that he does live in San Francisco and is therefore qualified to be issued a San Francisco Taxi Permit.

The Chief had recommended a denial for the issuance of a permit to this applicant because it appeared that he lived in San Jose which under the law would automatically disqualify him for a San Francisco Taxi Permit.

The Commissioners then moved to continue this matter one week and advised him to bring all evidence in aupport of his position at that meeting.

The Police Commission after hearing testimony from those applicants who were present, adopted the following resolutions:

RESOLUTION NO. 681-81

APPLICATION FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF TAXICABS - APPROVED

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of permits to operate a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including October 28, 1981; and

WHEREAS, applicants appeared before the Commission, and presented documentary evidence in support of their applications; and

WHEREAS, various persons testified in opposition to the granting of additional permits and documentary evidence in support of their position was presented to the Commission; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicant shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, existing permit holders are, under normal conditions, inadequately serving the public in that prior to the emergence of Proposition K there were approximately 711 taxicab permits in the City and County of San Francisco; and

WHEREAS, the Commission has determined that since the advent of Proposition K the number of taxicab permits had gradually decreased to 688 and should be raised to the original level of 711; therefore be it

RESOLVED, that it is the decision of the Commission to issue 23 new taxicab permits to bring the number back up to 711 taxicab permits for the City and County of San Francisco, and be it further

RESOLVED, that said permits shall be granted under, and shall be revocable under, criteria and standards published by the Commission in conjunction with the applicable sections of the San Francisco Municipal Code, and shall be granted to the below-named applicants:

Dodds, James R.
Rivera, Querida Mia
Bajada, Jose L.
Singh, Mahinder
Cook, Thomas J.
Siegel, Howard
Wallace, Richard A.
Coop, Brian P.
Chung, Kyu Y.
Trad, George
O'Falahee, Sean
Horning, Harry J.
Boyles, John F.
Vo, Can Van
Maldonado, John J., Sr.
Brosnan, Thomas P.
Lloyd, Harold W.
George, Anthony G.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 677-81

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A TAXICAB - APPROVED

WHEREAS, Mr. Paul Kanstoroom applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including October 28, 1981; and

WHEREAS, the applicant did not appear before the Commission and was not represented by counsel; and

WHEREAS, investigation by the Permit Section revealed that Mr. Paul Kanstoroom had failed to file appropriate forms for a Taxicab Permit, and therefore, did not meet the criteria adopted by the Police Commission for the issuance of a taxicab permit; therefore be it

RESOLVED, that it is the order of the Police Commission that because the applicant was unable to meet the Police Commission's criteria for the issuance of a taxicab permit, applicant's request for public convenience and necessity for the operation of a vehicle for hire taxicab permit, be, and the same hereby denied.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 678-81

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A TAXICAB - DENIED

WHEREAS, Mr. Doo Y. Rhee applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including October 28, 1981; and

WHEREAS, the applicant did not appear before the Commission and was not represented by counsel; and

WHEREAS, investigation by the Permit Section revealed that Mr. Doo Y. Rhee had failed to file appropriate application forms for a Taxicab Permit, and, therefore, did not meet the criteria adopted by the Police Commission for the issuance of a taxicab permit; therefore be it

RESOLVED, that it is the order of the Police Commission that because the applicant was unable to meet the Police Commission's criteria for the issuance of a taxicab permit, applicant's request for public convenience and necessity for the operation of a vehicle for hire taxicab permit, be, and the same hereby denied.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 679-81

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A TAXICAB - DENIED

WHEREAS, Mr. Jack G. Lim applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including October 28, 1981; and

WHEREAS, the applicant did not appear before the Commission and was not represented by counsel; and

WHEREAS, investigation by the Permit Section revealed that Mr. Jack G. Lim had failed to file

appropriate application forms for a Taxicab Permit, and therefore, did not meet the criteria adopted by the Police Commission for issuance of a taxicab permit; therefore be it

RESOLVED, that it is the order of the Police Commission that because the applicant was unable to meet the Police Commission's criteria for the issuance of a taxicab permit, applicant's request for public convenience and necessity for the operation of a vehicle for hire taxicab permit, be, and the same hereby denied.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 680-81

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A TAXICAB - WITHDRAWN

WHEREAS, Mr. Charles R. Scheelke applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including October 28, 1981; and

WHEREAS, the applicant did not appear before the Commission and was not represented by counsel; and

WHEREAS, Mr. Charles R. Scheelke failed to complete his application for a taxicab permit and indicated to Police Officer Lamont Suslow of the Permit Section, that he was no longer interested in pursuing this permit; and requested to withdraw his application; and

WHEREAS, based on those particular facts, it is recommended that the applicant's request to withdraw his application be accepted; therefore be it

RESOLVED, that the request of Mr. Charles R. Scheelke to withdraw his application for a vehicle for hire taxicab permit, be, and the same hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REQUEST FOR AUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $60,945 TO FUND FIVE TEMPORARY SECURITY GUARD POSITIONS.

Deputy Chief Shannon said the Police Department, after having received approval of its Fiscal Budget, was directed by the Mayor's Office to provide security for City Hall.

He continued by saying this was done by hiring Temporary Security Guards which is much less expensive than putting police officers there, but he said, it had not been funded in the regular budget and the department is using up allotted funds for this purpose, the supplemental request is brought here now before the Commission.

Commissioner Daly moved for approval, it was seconded by Commissioner Nelder and unanimously approved.

RESOLUTION NO. 668-81

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $60,945 TO FUND FIVE TEMPORARY SECURITY GUARD POSITIONS.

RESOLVED, that the Police Commission hereby approves the addition of five temporary CSC 8202 Security Guard positions to the Department's Budget. The Police Commission also approves the transfer of $60,945 from the Sworn Salary Account to the Temporary Salary Account.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REQUEST OF THE CHIEF OF POLICE FOR PERMISSION TO ACCEPT ON BEHALF OF THE POLICE DEPARTMENT THE GIFT OF EIGHT WORK STATIONS FROM LEVI STRAUSS AND COMPANY, FOR USE BY THE LEGAL DIVISION AND CONSENT DECREE DIVISION.

Deputy Chief Shannon said that Levi Strauss Company had moved their corporate headquarters from #1 Montgomery Street to a new building on Battery Street and they are offering the work stations to the San Francisco Police Department at no cost. He said it would cost the Police Department $600 dollars a piece if the Department had to buy them.

The Commission approved this request and suggested that the Levi Strauss Company be sent a letter of thanks.

RESOLUTION NO. 670-81

AUTHORIZING ACCEPTANCE ON BEHALF OF THE SAN FRANCISCO POLICE DEPARTMENT THE GIFT OF EIGHT WORK STATIONS FROM LEVI STRAUSS AND COMPANY FOR USE BY THE LEGAL DIVISION AND CONSENT DECREE DIVISION.

RESOVLED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept on behalf of the City and County of San Francisco, the gift of eight works stations from Levi Strauss and Company for use by the Legal Division and Consent Decree Division.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

The Commission was advised by Mr. Robert Martin of the Legal Office as to the Board of Supervisors authority in relation to the Commission in the issuance of Vehicle for Hire Permits. He said the Board did not have the authority to order the Commission, or instruct the Commission as to how to issue permits. However, he said, they do have the authority to create routes by virtue of the fact they have the authority to set the rates to be charged on those routes.

He said the Board of Supervisors passed a resolution establishing the Fisherman's Wharf Route stating that there shall be a 6 month trial period and that in their opinion 8 permits would be sufficient. He said however, this is not binding on the Commission at all and this opinion is shared by himself and Mr. Steven Diaz of the City Attorney's Office.

He continued by saying any restrictions in the

issuance of permits for that route should be so stated on the permittees permits.

The Commissioners then rendered final approval on those permits granted to jitney bus applicants last week, in accordance with the above criteria and upon final determination by the Board as to whether the route will be permanent after the end of the 6 month trial period.

This was a motion by Commissioner Nelder and unanimously approved.

RESOLUTION NO. 667-81

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER EVEN T. LAMMERS, SOUTHERN POLICE STATION, CONTINUED TO NOVEMBER 12,1981.

WHEREAS, the hearing of the appeal of suspension of Police Officer Even T. Lammers, Southern Police Station, was called, it having been set for this date; and

WHEREAS, a communication was received from Police Officer Dan Linehan, Representative, Southern Police Station, advising that since Officer Lammers is currently on disability and is expected to remain so for approximately two weeks, that the matter be continued to a later date; therefore be it

RESOLVED, that the hearing of the appeal of the disciplinary suspension filed against Police Officer Even T. Lammers, Southern Police Station, is continued to Thursday, November 12,1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

HEARING OF PATROL SPECIAL OFFICER RAYMOND A. ADKINS, MISSION POLICE DISTRICT

The hearing of Patrol Special Officer Raymond A. Adkins, Mission Police District, was called, it having been set for this date. Patrol Special Officer Raymond A. Adkins was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Soliciting or accepting clients outside the confines of his defined beat area. (Violation of Section 3.437 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to truthfully and without evasion answer questions propounded. (Violation of Section 2.49 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department.)

SPECIFICATION NO. 3

Conduct which reflects discredit upon the Police Department. (Violation of Section 2.13 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Patrol Special Officer Raymond A. Adkins appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the charges was waived.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, were duly sworn and testified:

Thomas McClosky
1701 Milrose Road (Business address)
Palo Alto, California

Louis McAdams
Foremost Dairies
1675 Howard Street
San Francisco, California

Patrol Special Officer Jack E. Mann
Mission Station

Police Officer Sam Wong
Ingleside Station

Sergeant Fred J.Groven
Internal Affairs Bureau

Sergeant Michael S. Jefferies
Intelligence Division

Captain John A. Mahoney
Bureau of Investigations

The following exhibits were entered into evidence by the Prosecution:

Exhibit A - A & R Security Services Statement dated 11/09/80-California Motorcycle Club.

Exhibit B - Bureau of Collection and Investigative Services - Department of Consumer Affairs - to Mr. John A. Mahoney - dated, March 16, 1981, Re: File No. 1021-80 - Re: A & R Security Services of Raymond Adkins.

The following exhibits were entered into evidence by the Defense:

Exhibit 1 - Business and Professions Code Section 7522 - Sub-section (e).

Exhibit 2 - Police Commission Resoluiton #354-78 of August 17,1978, Withdrawal of Charges Against Patrol Special Officer Raymond Adkins.

The following-named witness appeared for the Defense, was duly sworn and testified:

Mr. Charles Hous
280-7th Street
San Francisco, California

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, and then recessed from 2245 hours to 2255 hours, after which the following decision was adopted:

RESOLUTION NO. 665-81

DECISION-HEARING OF PATROL SPECIAL OFFICER RAYMOND A. ADKINS, MISSION POLICE DISTRICT

WHEREAS, on June 12, 1981, Cornelius P. Murphy, Chief of Police, made and served charges against Patrol Special Officer Raymond A. Adkins, as follows:

SPECIFICATION NO. 1

a) At all times mentioned herein, Patrol Special Officer Raymond A. Adkins was a duly appointed Patrol Special Officer with the San Francisco Police Department;

b) As a Patrol Special Officer of the San Francisco Police Department, Raymond A. Adkins is familiar with, and responsible for compliance with the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department.

c) That Patrol Special Officer Adkins is the owner and operator of a patrol special beat in the Mission District;

d) That on or about November 9, 1980, Patrol Special Officer Adkins provided security personnel at 255 Turk Street, San Francisco, a location outside the confines of his beat area;

e) That when questioned regarding this employment outside the confines of his designated beat area, Patrol Special Officer Adkins untruthfully and evasively answered questions asked by him by the Internal Affairs investigating officer and denied having provided security for this event;

f) Because of the above-mentioned conduct in accepting and/or soliciting employment in

an area outside his beat area, the accused did violate Section 3.437 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department, which states that a member:

3.437 - "Shall neither solicit nor accept new subscribers in areas outside the confines of his beat."

SPECIFICATION NO. 2

a) Paragraphs (a) through (e) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;

b) During the event at 255 Turk Street, a fight ensued which required that police officers be called to the scene;

c) When questioned regarding this incident of a police nature which occurred on and near the premises of 255 Turk Street, Patrol Special Officer Adkins untruthfully and evasively answered questions propounded by the Internal Affairs investigating officer by denying that he had spoken to the participants in the fight and that he had made the decision that the Police Department not be notified of the incident and that he had provided security officers for this event;

d) Because of the above-stated conduct, the accused did violate Section 2.49 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department, which states a member:

2.49 - "Shall, when called upon by a superior officer,or by one specially assigned by lawful authority to conduct an investigation involving police matter, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 3

a) Each and every allegation contained in para-

graphs (a) through (e) of Specification No. 1 and paragraphs (b) and (c) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;

b) During the investigation, it was determined that Special Patrol Officer Adkins has on numerous occasions accepted and/or solicited employment to provide security in areas of the City of San Francisco outside the confines of his assigned beat area;

c) It was further determined that the accused has represented to administrative personnel of the San Francisco Police Department that he is licensed by the State of California to operate a private patrol service, and therefore may provide security services throughout the City of San Francisco;

d) Further investigation has shown that the accused is not licensed as a private patrol service operator and has been operating such a service under the name of A & R Security Services since 1974;

e) By such misrepresentation to the San Francisco Police Department and/or the public at large, the accused has conducted himself in a manner which reflects discredit on the San Francisco Police Department thereby the accused has violated Section 2.13 of the Rules and Procedures for Patrol Special Officers, which states:

> 2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 28, 1981, and that on Wednesday, October 28,1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Patrol Special Officer Raymond A. Adkins, Mission Police District, as contained in Specification No. 1, violation of Section 3.437 of the Rules and Procedures for Patrol Special Officers of the San Francisco Police Department are not sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Patrol Special Officer Raymond A. Adkins, Mission Police District, as contained in Specification No. 2, violation of Section 2.49 of the Rules and Procedures for Patrol Special Officers are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Patrol Special Officers Raymond A. Adkins, Mission Police District, as contained in Specification No. 3, violation of Section 2.13 of the Rules and Procedures for Patrol Special Officers, are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Raymond A. Adkins, has not violated Specification No. 1, Section 3.437 of the Rules and Procedures for Patrol Special Officers; and be it further

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Raymond A. Adkins has violated Specification No. 2, Section 2.49 and Specification No. 3, Section 2.13 of the Rules and Procedures for Patrol Special Officers; and be it further

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Raymond A. Adkins has violated Specification No. 2, Section 2.49 of the Rules and Procedures for Patrol Special Officers and for said violation he shall be suspended from duty for fifteen (15) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Raymond A. Adkins has violated Specification No. 3, Section 2.13 of the Rules and Procedures for Patrol Special Officers, and for said violation he shall be suspended from duty for fifteen (15) calendar days; and be it further

RESOLVED, that said suspensions shall run consecutively, commencing Sunday, November 1, 1981, at 0001 hours and terminating on Monday, November 30, 1981 at 2400 hours.

Recess taken during hearing of
Patrol Special Officer Raymond
A. Adkins:

2245 hours to 2255 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 10:56 p.m.

SECRETARY

4 NOVEMBER 1981 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, November 4, 1981 at 1600 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.

1. Attorney-Client Conference.

No Vote was taken.

4 NOVEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 4, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

PRESENTATION TO MAYOR FEINSTEIN:

A summary of the San Francisco Police Department's Fiscal Year 1980-81 M.B.O., Performance Data

Commissioner Sanchez: "The first agenda item this evening is a very special agenda item and it gives me great pleasure on behalf of the San Francisco Police Commission to welcome a distinguished San Franciscan to the San Francisco Police Commission meeting. A San Franciscan who has taken an active leadership role during her administration to insure that access and quality of Law Enforcement in this City is second to none.

At this point I would like to turn over our formal agenda to the Mayor of the City and County of San Francisco, the Honorable Dianne Feinstein."

Mayor Feinstein: "Thank you very much Mr. President and members of the Police Commission. What I have been doing is going before various Commissions and pointing out to them the results of our Management By Objectives Programs. We now have, as of this fiscal year, every city department with, but one exception, and that's the District Attorney's Office, because they have refused. We have every other city department in MBO, Management by Objectives and what that, in essence, means, is that on a quarterly basis goals are set and then performance tracked through the quarter on those goals and new goals are set and performances tracked and so on. Why I am here today is really to urge the Commission to become involved in this process now. We have had a year's performance by your department, I am here to say that your performance has been good. That performance has actually picked up as the year has gone on. But you have, I believe, a letter from me to you and I would like to go through this letter with you if I may. And stop me if you have any questions as I go through it. The Mayor went through the letter and in doing so congratulated the Police Commission, Chief Murphy and his staff for their substantial contribution on the positive accomplishments in meeting their vital goals. She said the Department's ability to utilize the MBO Program to increase the productivity and effectiveness of the resources under its control has demonstrated to her that Police can be leaders in the area of good management.

She then detailed some of her observations of key operating Bureaus in the Department and began with the Field Operations Bureau, citing many examples of good work. She continued with the Investigations Bureau and called to everyone's attention her concerns regarding the Juvenile Bureau, citing street robbery cases and its increase in numbers from 700 to 1684 and only 52 arrest made. She said clearly this particular area has to be given a higher priority. She said maybe the Gang Task Force could be re-deployed in this area. She then spoke of the experiences of the Support Services Bureau and indicated approval of the accomplishments of the various divisions under this Bureau. She said the Administration Bureau should be complimented for the reduction of disability leaves taken by officers in that this particular reduction results in more officers being available for on street duties. She said, however, the problem in the Administration Bureau's area is the wash out rate of the Academy and the Field Training Program which has reached 30% and means that only 30 recruits in an average class of 40 make it into the ranks of the San Francisco Police Department. She said on an average, 3 fail in the Academy and 7 fail in Field Training. She said considering the expense this is an enormous waste of state and local funds. She said she was asking the Commission to look closely into this matter.

She mentioned once again the accomplishments of the Bureau in reducing disability and said the Department is on the right track. However, she said, even though the accomplishments she mentioned are admirable, she would

still ask that the Commission become actively involved in the MBO Process, particularly in the following areas; 1) many objectives need to be reset to reflect greater achievement. She said performance targets need to represent efforts not just average productivity. She said certain watches need to improve their response time and citations and bring them more in line with performance by more effective watches. She said statistics on declining retention are obviously distrubing but she said she would like to encourage the department to make it a priority to find ways to enlarge the pool of qualified applicants it may call on for recruits without decreasing the City's commitment to women and minorities. She said at the present rate the City will not be able to reach the 1971 sworn officers by the end of this fiscal year.

She said two months ago she received a set of recommendations from the Chief that would ensure openness, expedited processing of civilian complaints and greater involvement on the part of the Commission to assure impartial review. She said the Commission has subsequently held hearings and approved most of these, and since that time many recommendations have been implemented. She said others are still under administrative or legal review. She continued by saying that it was essential that implementation proceed as rapidly as possible and that the Department's expectations for IAB are incorporated into the objectives and targets of the Management By Objectives Program. She said she was also asking that the Commission set targets for its own performance in reviewing cases coming from IAB and hearing cases as an appellate body. She said by next April the Commission should review and evaluate the effectiveness of each action and decide if alternative action should be considered.

She then thanked the Commission, Chief and Staff for the Department's commitment to this program. Statistics, she said, can often be misused but as a management tool it offers the ability to set targets and measure performance and, in that respect, is truly important.

She said her administration wants to reward department's who produce more, cut waste and improve efficiency and, she said, this department is certainly in that category.

She said she wanted the Commission to know that she had full faith and confidence in the Commission and the Chief and concurred with the recent assignment of new Captains to the District Stations and with that she will be expecting continued and improved overall productivity.

Commissioner Sanchez rsponded by thanking the Mayor for her most comprehensive and thorough review of the Police Department's Annual Management By Objectives Performance report and for working closely with the Department to insure the highest quality and account-

ability in law enforcement services.

He continued by saying that the Commission will take her charge seriously and will continue to work closely with the Chief and Staff and the Mayor and her Staff in order to insure that the Department's MBO Programs are clearly articulated and re-defined and the Commission will be submitting those reports to her quarterly.

Commissioner Murphy,aat this time, wanted to introduce a very special person to the Commission and had Captain William Green from the Eight States Naval Area stand and be recognized.

The Commissioners thanked Captain Green for coming and congratulated him and the men and women of the fleet for their outstanding contributions to the Countyr's National Security and Defense.

Chief Murphy in commenting on the Captain's presence, said that he felt this had been a great week in San Francisco, Fleet Week, and he felt that all of the sailors on their first and second nights has had a great time and the city really enjoyed having them. He said he wished they could visit, in this regard, every year.

The Commissioners, having received, amended and returned copies of the minutes of the meetings of September 2, 1981, September 9, 1981, September 16, 1981 and September 23, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

APPROVAL OF CONSENT CALENDAR

Commissioner Sanchez said that before the Commission takes a vote on the Consent Calendar, that he would like to note in passing that under the Retirement Section, Sergeant Andrew Quaglia is retiring as of October 8, 1981. He said he would hope that at some point the Sergeant could return before the Commission so that he may receive some formal regards as he has been before the Commission many, many years and has done an outstanding job on behalf of the Traffic Survey Division and the Commission would like to thank him, for this, personally.

The Consent Calendar was then approved.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

620 MONTEREY - KOREAN EVANGENICAL CHURCH

a) At 620 Monterey, install a 22' white zone, extending from west property line 22' east of same.

300 POST STREET - SAKS 5th AVENUE

a) At 300 Post Street, install a 22' white zone, extending from west property line 22' east of same.
(Also paint driveway tips on east end of building 384 Post make it about 6' on each side, red.)

1600 HOLLOWAY - S.F. STATE UNIVERSITY

a) At 1600 Holloway, install a 22' blue zone, extending from 6' to 28' west of driveway entrance.

3650-19th AVENUE - S.F. STATE UNIVERSITY

a) At 3650-19th Avenue, revoke existing 44' white zone, extending from south property line 44'north of same.

b) At 3650-19th Avenue, install a 44' blue zone, extending from south property line 44' north of same.

340 STOCKTON STREET - S.F.P.D.

a) At 340 Stockton Street, revoke existing 61' white zone, extending from 11' to 72' north of Campton Street.

b) At 340 Stockton Street, install a 61' yellow zone, extending from 11' to 72' north of Campton Street.

744 WASHINGTON STREET - SUN HUNG HEUNG - DENIED

a) At 744 Washington Street, install a 22' white zone, extending from west property line 22' east of same. DENIED.

b) Meter 730 to be removed. DENIED.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 105 feet of white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Sergeant Andrew A. Quaglia, Traffic Bureau, for service, effective October 9, 1981.

b) Sergeant Fred B. Neville, Traffic Bureau, for service, effective October 8, 1981.

c) Police Officer Edward L. Casazza, Southern Station, for service, effective September 23, 1981.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 658-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector Richard Cairns Vice Crimes-Narcotics	$290.00 each	Informant Development and Maintenance Program, Sacramento, California, from September 28,1981 to October 2,1981.
Sergeant/Inspector Michael Johnson Vice Crimes-Narcotics		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 659-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant/Inspector Armond Pelissetti Juvenile Division	$2,315.00	Delinquency Control Institute, Los Angeles, California, from September 8, 1981 to October 16,1981.

AYES: Commissioners Daly, Nelder,Toler, Murphy, Sanchez

RESOLUTION NO. 660-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending

the below-indicated program, be, and the same are hereby approved:

Sergeant Jerome DeFilippo "S" Squad	$577.00 each	(Supervisory (Training for (Sergeants, Pittsburgh, California, (from September 14, (1981 to September (25, 1981.
Sergeant Anthony Novello Central Station		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 661-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Vouhcer submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Victor Wode Police Range	$240.00	(P.O.S.T. Special (Seminar for Basic (Academy Firearms (Instructors, Los (Angeles, California, (from October 6, 1981 (to October 7,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 662-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Mark Potter Tactical Division	$875.00	(Attendance of seven (members of the Tactical (Division at a Special

(Weapons and Tactics
(Refresher Training
(Course, Monterey, Cal-
(ifornia, from September
(29, 1981 to September
(30, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO.664-81

AUTHORIZING ATTENDANCE OF LIEUTENANT DAVID CHRISTENSEN, INGLESIDE POLICE STATION, LIEUTENANT JAMES MARTINEZ, NORTHERN POLICE STATION, LIEUTENANT BILL TAYLOR, INTERNAL AFFAIRS BUREAU, AT THE MIDDLE MANAGEMENT TRAINING COURSE IN KELSEYVILLE, CALIFORNIA, FROM NOVEMBER 30,1981 TO DECEMBER 11, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant David Christensen, Ingleside Police Station, Lieutenant James Martinez, Northern Police Station, and Lieutenant Bill Taylor, Internal Affairs Bureau, be detailed to attend a Middle Management Training Course in Kelseyville, California, from November 30, 1981 to December 11, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Christensen, Lieutenant Martinez and Lieutenant Taylor, in a sum not to exceed $600,00 each, will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE THAT INSPECTOR ROBERT PETERSON, BURGLARY DETAIL, BE GRANTED PERMISSION TO ATTEND THE CARGO THEFT INVESTIGATION TRAINING COURSE IN SACRAMENTO, CALIFORNIA, FROM NOVEMBER 30, 1981 TO DECEMBER 4, 1981. - CANCELLED.

RESOLUTION NO. 666-81

AUTHORIZING ATTENDANCE OF LIEUTENANT MATTEO GENNA, WARRANT SECTION/SSB, AT THE CALIFORNIA LAW ENFORCEMENT WARRANT OFFICERS ASSOCIATION STATEWIDE TRAINING

SEMINAR, IN SACRAMENTO, CALIFORNIA, FROM NOVEMBER 5,1981 TO NOVEMBER 6, 1981.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Matteo Genna, Warrant Section/SSB, be detailed to attend the California Law Enforcement Warrant Officers Association Statewide Training Seminar in Sacramento, California, from November 5, 1981 to November 6, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Genna in a sum not to exceed $190.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Nelder brought up the fact that the Commission at last week's meeting had adopted a resolution passing an ordinance regarding the jamming of parking meters but since then, he said, there has been discontentment among the various citizens of the city. He said he felt that the Department should be able to come up with a better solution to the problem if it had more time to study it. He said he would move to rescind the Commission's action of last week.

It was seconded by Commissioner Daly and unanimously approved.

The matter was then continued for two weeks at which time it would be advertised and scheduled for a Public Hearing.

At this time the Commission noted that next week would be a legal holiday and Commissioner Nelder moved to hold the meeting on Thursday, November 12, 1981.

This motion was seconded and unanimously approved.

POLICE COMMISSION REPORT

Commissioner Daly thanked the members of the De-

partment and members of CUAV, (Community United Against Violence) for their successful handling of the events associated with Halloween conducted in the Castro-Market area.

Commissioner Nelder noted that there had not been any notable decreases in Property Damage and Personal Injury Accidents even though the Mayor had noted earlier in her report that there had been substantial increases in the issuances of citations.

He said there should be more emphasis on having solo/motorcycle officers being visible from and educational standpoint, prevent these accidents.

POLICE COMMISSION REPORT

Recommendation of the Chief of Police that the Police Commission deny the issuance of a taxicab permit to Cornelius F. Thomas. (Continued from the meeting of October 28, 1981.)

On the other matter under the Police Commission Report, Police Officer Lamont Suslow of the Department's Permit Bureau appeared and said that last week the Commission received a recommendation of denial of a taxicab permit to Mr. Cornelius F. Thomas because Mr. Thomas had supplied certain information to the Commission that was given to the Department to investigate. He said Inspector Thomas Arnold of the General Works Detail made the investigation and has submitted his written report to the Commission.

Inspector Arnold then gave the Commission a brief verbal summary of his report and results of his investigation.

Mr. Jim Igo, attorney for Mr. Thomas appeared and presented Mr.Thomas' position in this regard.

Commissioner Nelder, after hearing from the parties to this matter moved that the Commission follow the Chief's recommendation of denial in the issuance of a taxi permit to Mr. Cornelius F. Thomas.

Commissioner Daly seconded and it was unanimously approved.

RESOLUTION NO. 674-81

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE

AND NECESSITY FOR THE OPERATION OF A TAXICAB - DENIED.

WHEREAS, Mr. Cornelius F. Thomas applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of a permit for operation of a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including November 4, 1981; and

WHEREAS, the applicant appeared before the Commission and presented documentary evidence in support of his application; and

WHEREAS, investigation by the Permit Section revealed discrepancies regarding the address of the residence of the applicant, as applicant claims he resides in the City and County of San Francisco; and

WHEREAS, police investigation reveals that applicant resides in San Jose which is outside of the limits and in violation of Section 1127A of the Municipal Police Code; therefore be it

RESOLVED, that it is the order of the Police Commission that because applicant was unable to prove that his residence is within the radius dictated by Section 1127A of the San Francisco Municipal Police Code, applicant's request for public convenience and necessity for the operation of a vehicle for hire taxicab permit, be, and the same hereby denied.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy then presented a report on crime statistics to the Commission which compared October of 1981 to October 1980 and was very happy to say that in all categories, except one, there has been a decrease in crime. He said the decreases were as follows: In Homicide, a 33% reduction, Rape, 18.2%, Robbery, 13½%, Aggravated Assault, 14.9%, Burglary, 7.4%, and 11.9%

in Auto Theft. He said the only increase for the month of October as compared to last year was a 30% increase in Larceny.

STATEMENT OF POLICE DEPARTMENT POLICY REGARDING COMPLIANCE WITH SECTION 1080.1, MUNICIPAL POLICE CODE. (CONTINUED FROM THE MEETING OF OCTOBER 21, 1981)

Mr. Lawrence Wilson, attorney for the Department in the Legal Office, said this matter was held over from the meeting of October 21, 1981, to allow notification of all cab owners that this matter is before the Commission for possible adoption.

Commissioner Sanchez noted that the matter calls for a public hearing and asked if there were any persons present wishing to speak in opposition to the proposed policy.

Mr. Brian Coop spoke and said he was not in opposition but wanted a clarification of this issue as it applied to him.

Mr. Steven Diaz of the City Attorney's Office in giving a clarification, stated that this proposal brings the Department into compliance with the requirements of the stated section of the Municipal Code and limits the size of deductibles that would, in fact, be permitted in the Taxi Cab Industry in San Francisco. He said it requires that the program the Department has had in position for a number of years and which has worked will, in fact, be mandated against the permittees, thereby assuring full compliance with the insurance requirements.

As there were no further requests to speak on this issue and the Commission having listened to both attorneys in this regard, they voted unanimously to adopt the following resolution:

RESOLUTION NO. 678-81

STATEMENT OF POLICE DEPARTMENT POLICY REGARDING COMPLIANCE WITH SECTION 1080.1, MUNICIPAL POLICE CODE - APPROVED

WHEREAS, Section 1080.1 of the Municipal Poilce Code requires that persons, firms or corporations operating a taxicab or other vehicle for hire obtain insurance coverage protecting the public against any loss or damage resulting from the operation of taxicabs or other vehicle for hire; and

WHEREAS, it is common practice within the vehicle for hire industry for insurance policies to reflect a deductible of $25,000 towards liability imposed upon the insured for any one occurrence; and

WHEREAS, coverage for this first $25,000 of liability is provided by the maintenance by the insured of irrevocable certificates of deposit, or by providing acknowledgements of deposit of a certain sum above $25,000 issued by the State of California, which certificate or acknowledgement of deposit cannot be withdrawn without giving thirty days' notice to the City and County of San Francisco; and

WHEREAS, this practice has for over fifteen years adequately protected the public in that no claim against an insured has ever gone unpaid; therefore be it

RESOLVED, by the Police Commission of the City and County of San Francisco that the filing of a policy of insurance meeting the minimum coverage requirements of Section 1080.1 in conjunction with the aforementioned certificates of deposit or acknowledgements of deposit sufficient to cover any policy deductible, constitute a "policy of insurance" in a form deemed proper by this Commission and constitute compliance with the requirements of 1080.1 of the Municipal Police Code.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING RELATIVE TO PROPOSED SECONDARY EMPLOYMENT, GENERAL ORDER T-1. (CONTINUED FROM THE MEETING OF OCTOBER 21, 1981) - CONTINUED FOR TWO (2) WEEKS.

Deputy Chief Shannon said he would request a two week continuance as the San Francisco Police Officers' Association has been involved in many different legal matters and haven't been able to resolve this one.

Commissioner Daly moved for a continuance, it was seconded by Commissioner Nelder and unanimously approved.

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $64,214 TO FUND A PERMANENT 8176 TRIAL ATTORNEY AND A 0488 COMMANDER.

Deputy Chief Shannon said that the Commissioners had this before them once before and it was rejected by the Mayor's Office because of the way the request was written. He said it has now been re-written in accordance with her mandate and is re-submitted for adoption.

Commissioner Nelder moved approval, Commissioner Murphy seconded, and it was unanimously approved.

RESOLUTION NO. 671-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $64,214 TO FUND A PERMANENT 8176 TRIAL ATTORNEY AND A 0488 COMMANDER

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of $64,214 to fund the salary and related fringe benefits of one new 8176 Trial Attorney, and the reclassification of one Q2 Police Officer's position to one 0488 Commander's position.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 672-81

AMENDING ARTICLE 13 OF PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 939 THEREOF, RELATING TO THE ISSUANCE OF PRESS CARDS.

BE IT RESOLVED, that the Honorable Police Commission hereby requests the Board of Supervisors to amend Section 939 of the San Francisco Municipal Code (Police Code) to make the issuance of Press Cards an annual event.

Moved by Commissioner Murphy for approval, seconded by Commissioner Toler and unanimously approved.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER I-9, HOSTAGE INCIDENTS. (COPIES SENT TO EMPLOYEE ORGANIZATIONS.)- CONTINUED FOR TWO (2) WEEKS.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 673-81

POLICE OFFICER JODY J. MOROSCHOK, SUPPORT SERVICES BUREAU-PHOTO LAB SECTION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jody J. Moroschok, Support Services Bureau-Photo Lab Section, as follows:

SPECIFICATION NO. 1

Failure to devote his entire time and attention to the efficient performance of police business during his watch or tour of duty. (Violation of Section 2.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Visiting a place wherein he knows or suspects that a penal statute or ordinance is being violated. (Violation of Section 2.99 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to enforce all penal laws and ordinances. (Violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Removal and furnishing of a police report or record from a station, bureau or office not in conformity with the law and when not necessary in the performance of police duty. (Violation of Section 2.105 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Transporting unauthorized persons in a police vehicle. (Violation of Section 9.123 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Failure to prevent crime, detect and arrest offenders and enforce all criminal laws and penal ordinances. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 7

Misconduct which reflects discredit upon the Department and members thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jody J. Moroschok, Support Services Bureau-Photo Lab Section, is set for Thursday, November 12, 1981, at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING OF SPECK CAB COMPANY'S RESPONSE TO THE PETITION OF THE VETERANS TAXICAB COMPANY AS TO ALLEGED VIOLATIONS OF PROPOSITION K. (CONTINUED FROM THE MEETING OF AUGUST 26, 1981.) - CONTINUED TO DECEMBER 9, 1981.

Commissioner Sanchez said that he would state briefly what the Commission has requested to be brought to it this evening. He said the Commission had forwarded items of inquiry which were to be presented by the opposing attorneys to be reviewed by the City Attorney's Office to find out if, in fact, either the propsed sale, validity of sale or transfer of stock exceeded either 10% or otherwide came under Proposition K and under the jurisdiction

of the Commission and if so, whether, in fact, the City Attorney could put the matter in writing and present his findings to the Commission publicly, at which time the attorneys who are representing both sides would have a chance to respond to the City Attorney's position.

He said at the end of that period the Commission will then render a decision as to how it will proceed, or if it will proceed, or what, in fact, the wish of the Commission will be pertaining to the inquiry.

Mr. Diaz then made his presentation which was followed by a presentation of Mr. Wayne Canterbury, attorney for Veterans Taxicab Company, and subsequently by Mr. Robert Tollen, attorney for Speck Cab Company. Both attorneys indicated that they had witnesses who wished to testify before the Commission and in that regard Mrs. Alandria Petersen, was called by Mr. Canterbury on behalf of Veterans Cab Company.

Thereafter, the Commission took a three minute recess after which Mr. Canterbury said his next witness wanted to tell her full story to the Commission which would take some time and because of the late hour he suggested the Commission continue the hearing to a more convenient time in the future.

The matter was then continued to December 9, 1981.

(The entire proceedings was taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R. and was also recorded on cassette tape to be kept for a period of two years in the Officer of the Police Commission.

The Commission then adjourned its meeting at 10:50 p.m.

SECRETARY

12 NOVEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, November 12, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Commissioner Sanchez presiding.

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RESOLUTION NO. 688-81

HARRY ROBERT SANDLER

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Harry Robert Sandler against the City and County of San Franciso in the sum of $4,230.18 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 18, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 683-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector Stephen Gudelj Vice Crimes-Narcotics)	) $310.00) each	(California Narcotics (Officers Training (Conference, Sacramento, (California, from

Sergeant Richard Cairns Vice Crimes-Narcotics	November 15,1981 to November 18,1981.
Police Officer Anne Harrington Vice Crimes-Narcotics	

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 684-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Kelvin Brown Fraud Detail	$285.00	Attendance at Southern California Fraud Investigators Training Institute Oxnard, California, from October 21,1981 to October 23, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 685-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Philip Dunnigan Field Operations- Mission Station	$314.00	International Society for Investigative and Forensic Hypnosis (ISIFH), San Jose, California from October 6,1981 to October 9,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 686-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Police Officer Edward Dullea Field Operations-Tactical Division	$274.00 each	Western Regional Bomb Technicians Seminar, San Jose, California, from October 19,1981 to October 23,1981.
Police Officer Michael Travis Field Operations-Tactical Division		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 687-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant James Hall Field Operations - Tactical Division	$1,250.00	Special Weapons and Tactics Refresher Training Course, Monterey, California, September 24, 1981 to September 25,1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 689-81

AUTHORIZING ATTENDANCE OF POLICE OFFICERS DAVID HORTON AND WILLIAM MURPHY, INTELLIGENCE BUREAU, AT THE STREET GANG INVESTIGATION COURSE IN SAN JOSE, CALIFORNIA, FROM NOVEMBER 16,1981 TO NOVEMBER 18, 1981

RESOLVED, that the recommendation of the

Chief of Police that Police Officers David Horton and William Murphy, Intelligence Bureau, be detailed to attend the Street Gang Investigation Course in San Jose, California, from November 16, 1981 to November 18, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officers David Horton and William Murphy in a sum not to exceed $124.00 each, for subsistence and travel are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 691-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy in the amount of $6,000.00 charging same to Index Code 580217 as an advance on the Police Narcotic Fund for the month of November, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 692-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of $4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of November, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Nelder mentioned the upcoming date as the 18th of November for hearing the issue of the jamming of parking meters. He requested information from the Chief on the number of arrest and the disposition of those arrests which relate to depredations committed against parking meters.

Commissioner Murphy reported that she had received a postcard from Jerry Fishkin, former Traffic Commissioner, opposing the departmental proposal combating meter jamming, and several telephone calls from citizens are opposing the proposal.

She also commented on the possibility of obtaining the services of a Mills College student to spend 10 hours per week with the Police Commission and during that time assist with the preparation of the Commission minutes, etcetera.

All Commissioners agreed with this latter proposal and procedures were instituted to obtain the student.

CHIEF'S REPORT TO THE POLICE COMMISSION

Status Report on Proposed System for Serving Youthful Status Offenders.

Chief Murphy reported that on the proposed system for serving youthful status offenders and the Commission's adoption of the Department's position that the primary contact or any involvement with Status Offenders would be through the Juvenile Probation. A preliminary plan was submitted to the Mayor's Council on Criminal Justice and at that time the Commission's position was made known to the study group and they have since referred it back to the Committee. He said he would be meeting tomorrow with Marilyn Borovoy and Saul Mathis on it, and it hasn't been resolved yet, but it may be in the next three weeks. He said he would report back to the Commission at that time.

Commissioner Sanchez said he would also like to comment to the fact that some of the Commissioners have been contacted and that initially they (the Committee) requested that it be scheduled for this evening's meeting, but there is this open communication between both sides, so the sub-committee and Judge Harry Low will be getting back to us when things are worked out and brought back to the Commission for further review and study.

Commissioner Murphy said this group had indicated to

her that they were very concerned about not being heard from and that the Commission had only heard from the Chief Probation Officer, Mr. Joseph Botka.

Chief Murphy said he would advise the Commission when the matter will be ready to go back on the calendar.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ENTER INTO A CONTRACT WITH MR. KEITH MASON TO PROVIDE CAFETERIA SERVICE AT THE POLICE ACADEMY.

Captain Richard D. Klapp,Commanding Officer of Personnel, appeared on this matter and said from the Academy's perspective this was a very important item. He said the contract deals with perpetuating food services at the Police Academy. He said the previous contractor had certain conflicts with his other activities thereby necessitating his relinquishment of control at the academy and turned it over to the proposed contractor in this case. Mr. Mason, the proposed contractor, is currently providing this service on more or less of a gentleman's agreement basis pending the execution of this contract. He said this man is what he would term as a "sole source vendor" because no one else has shown any interest in obtaining this contract.

Commissioner Murphy moved for approval and Commissioner Daly seconded. It was then unanimously approved.

RESOLUTION NO. 694-81

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ENTER INTO A CONTRACT WITH MR. KEITH MASON TO PROVIDE CAFETERIA SERVICE AT THE POLICE ACADEMY - APPROVED

WHEREAS, the San Francisco Police Department provides an Academy; and

WHEREAS, a need exists for cafeteria service at the Police Academy; and

WHEREAS, Mr. Keith Mason is willing to provide this service; therefore be it

RESOLVED, that the Police Commission does hereby authorize the Chief of Police to enter into a contract with Mr. Keith Mason to provide cafeteria service at the Police Academy.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $38,697 TO REPAY CERTAIN DISALLOWED GRANT EXPENDITURES.

Deputy Chief Shannon said the Federal Government works very slowly in that they audited Grants that were given to the Police Department in 1978 and 79, and March of 1980 and it was not until August 10th that the Department received a letter from them pointing out that the Department owed them this money for salaries that they had disallowed in the original grants back at that time.

He said the Department is required under the contracts of the grants to repay these funds and is thereby requesting that this supplemental appropriation be approved for funds to be drawn from the salary savings account.

Commissioner Toler moved approval, seconded by Commissioner Murphy and unanimously approved.

RESOLUTION NO. 690-81

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $38,697 TO REPAY CERTAIN DISALLOWED GRANT EXPENDITURES.

RESOLVED, that the Police Commission hereby approves the Supplemental Appropriation in the amount of $38,697 to repay certain disallowed grant expenditures from grant funds. The needed funds will be transferred from the Sworn Salary Account (0020) to the Revenue Transfer Account (9991).

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 693-81

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER JODY J. MOROSCHOK, SUPPORT SERVICES BUREAU-PHOTO LAB SECTION

WHEREAS, the setting of the date for the hearing of the disciplinary charges filed against Police Officer Jody J. Moroschok, Support Services Bureau-Photo Lab Section, was called, it having been set for this date; and

WHEREAS, a communication was received from Mr. John F. Prentice, Attorney at Law (Law Offices of Mr. Stephen Bruce Bley) requesting a continuance in this matter; therefore be it

RESOLVED, that a status report in the matter of Police Officer Jody J. Moroschok, Support Services Bureau-Photo Lab Section, is hereby set for Wednesday, December 16, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 695-81

HEARING OF INSPECTOR WILLIAM C. BIGARANI, BUREAU OF INVESTIGATIONS - (CONTINUED FROM THE MEETING OF OCTOBER 7, 1981)

WHEREAS, the hearing of Inspector William C. Bigarani, Bureau of Investigations, was called, it having been set for this date; and

WHEREAS, since the regular meeting date of Wednesday, November 11, 1981, occurred on a holiday, Veteran's Day, the meeting was changed to Thursday, November 12, 1981. However,due to prior commitments, Mr.William T. Beirne, attorney for Inspector William C. Bigarani,was unable to attend the meeting on this date, and requested a continuance in the matter; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Inspector William C. Bigarani, Bureau of Investigations, is continued to Wednesday, December 16,1981 at 5:00 p.m., in

Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

NEW RULES AND PROCEDURES FOR PATROL SPECIAL OFFICERS, NEW UNIFORM AND EQUIPMENT SPECIFICATIONS FOR PATROL PSECIAL OFFICERS. (CONTINUED FROM THE MEETING OF APRIL 8, 1981.)

Deputy Chief Shannon said he was asking for one (1) week continuance in this matter because the Patrol Special's attorney was all set to go last night but had made a commitment to be in Kansas City today and could not be here this evening.

He said the Department is all set to go on it and Mr. Margolin, the Patrol Special's attorney, will be all set to go at that time also.

After further discussion on this item the Commissioners continued it to December 2, 1981.

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER EVAN LAMMERS, SOUTHERN POLICE STATION

The hearing of the appeal of the suspension of Police Officer Evan Lammers, Southern Police Station, was called, it having been set for this date. Police Officer Evan Lammers appeared in person, and was represented by Police Officer Dan Linehan, Southern Police Station Representative.

Mr. Robert Martin, Attorney at Law, appeared as Prosecutor for the Police Department.

Opening statements were made by both Mr. Robert Martin and Police Officer Dan Linehan.

A statement was then made by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Thereafter, closing statements were made by Chief Murphy and Officer Linehan.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 696-81

DECISION-HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER EVAN LAMMERS, SOUTHERN POLICE STATION.

WHEREAS, Police Officer Evan Lammers, Southern Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department for a period of two days without pay; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Evan Lammers, Southern Police Station, did file with the Secretary of the Police Commission a written appeal of this suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Thursday, November 12, 1981, and on Thursday, November 12, 1981, the matter was submitted to the Police Commissoin for decision; therefore be it

RESOLVED, that it is the order of the Police Commission that Officer Lammers' Chief's suspension of two (2) days without pay be reduced to one (1) day without pay.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ANY: Commissioner Nelder

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

The Commission then adjourned its meeting at 7:46 p.m.

SECRETARY

18 NOVEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 18, 1981 at 1600 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

DOCUMENTS DEPT.
[illegible] 8 [illegible]

Commissioner Sanchez presiding.

HEARING OF POLICE OFFICER JOHN PROPST, TARAVAL POLICE STATION.

The hearing of Police Officer John Propst, Taraval Police Station, was called, it having been set for this date. Police Officer John Propst was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Engaging in conduct which reflects discredit on the San Francisco Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Drawing a firearm in a public place not in the line of duty. (Violation of Section 14.07 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Being under the influence of intoxicating liquor to such an extent to be unable to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate, and efficient manner. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer John Propst appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, were duly sworn and testified:

Delmar Wing Beck
Driver, San Francisco Airporter

Lee Busby
245 So. Airport Drive
San Bruno, California

The following-named witnesses appeared for the Defense, were duly sworn and testified:

Police Officer John Propst
Taraval Police Station

Police Officer Nicholas James Rubino
Ingleside Police Station

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 728-81

DECISION - HEARING OF POLICE OFFICER JOHN PROPST, TARAVAL POLICE STATION

WHEREAS, on September 28, 1981, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer John Propst, as follows:

SPECIFICATION NO. 1

a) At all times mentioned herein, John Propst was a police officer employed by the San Francisco Police Department;

b) At all times mentioned herein, John Propst was and is responsible for knowing and obeying the Rules and Procedures of the San Francisco Police Department;

c) On August 15, 1981 at or about 2130 hours, while off duty, Officer Propst was in his personal vehicle (a black Datsun pick-up California License IU44918,) attempting to leave the parking lot at Candlestick Park in the City and County of San Francisco, and in so doing it appeared that his vehicle was being crowded by an Airporter Bus. Officer Propst exited his vehicle, approached the bus at the driver's window and became involved in a verbal altercation with the bus driver;

d) Officer Propst then proceeded to the passenger side door of the bus with his firearm drawn and attempted to and did get the driver's attention by knocking on the passenger side door with his firearm while continuing to shout at the bus driver.

e) Shortly thereafter, Officer Propst walked to the front of the bus, removed his coat, and attempted to engage the bus driver in a physical altercation at which time Officer Propst had to be restrained by a uniformed police officer.

f) While involved in the verbal altercation with the bus driver, Officer Propst was under the influence of intoxicating liquor to such a degree as to be unable to properly perform his police duties;

g) The conduct of Officer Propst in yelling and cursing at the bus driver, knocking on the passenger door windows with his gun, attempting to fight the bus driver, and being under the influence of intoxicating liquor constitutes unofficerlike conduct which reflects discredit upon the San Francisco Police Department constituting a violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states that:

> 2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

a) Each and every allegation contained in paragraphs (a) through (d) of Specification No. 1, are hereby incorporated by reference as though each were fully set forth herein;

b) This conduct, in drawing his firearm without lawful cause or excuse, constitutes a violation of Section 14.07 of the Rules and Procedures of the San Francisco Police Department, which states:

> 14.07 "A member shall not draw a firearm in any public place except in the line of duty or for inspection by a superior."

SPECIFICATION NO. 3

a) Each and every allegation contained in paragraphs (a) through (f) of Specification No. 1 are hereby incorporated by reference as though fully set forth herein.

b) By his conduct, in being under the influence of intoxicating liquor to such an extent as to be unable to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner, Officer Propst is in violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department which states that a member:

> 2.125 "Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared

> to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 18, 1981, and on Wednesday, November 18, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer John Propst as contained in Specification No. 1, Section 2.13 and Specification No. 2, Section 14.07 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer John Propst as contained in Specification No. 3, Section 2.125 of the Rules and Procedures of the San Francisco Police Department are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer John Propst has violated Specification No. 1, Section 2.13 and Specification No. 2, Section 14.07, of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer John Propst has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and for said violation he shall be suspended from duty without pay, for five (5) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer John Propst has violated Specification No. 2, Section 14.07 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty without pay for twenty-five (25) calendar days; therefore be it

RESOLVED, that said suspensions shall run consecutively, commencing Wednesday, January 6, 1982 at 0001 hours, and terminating on Thursday, February 4, 1982 at 2400 hours; and be it further

RESOLVED, that Police Officer John Propst shall be ordered by the Captain of Taraval Police Station, to be re-trained at the Police Academy for whatever period of time that the Captain deems necessary for Officer Propst to review and learn all of the duties of a police officer.

Recesses taken during the hearing of Police Officer John Propst:

1950 hours to 2000 hours.
2035 hours to 2104 hours.
2109 hours to 2118 hours.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

659 MERCHANT - BLUE FOX RESTAURANT

a) At 659 Merchant, install a 44' white zone, extending from 44' from west building property line to east building property line. (Zone to be posted passenger loading zone 7 P.M. - 2 A.M.)

1449 MISSION STREET - MAYOR'S OFFICE OF EMPLOYMENT & TRAINING

a) At 1449 Mission Street, install a 22' white zone, extending from 40' to 62' east of west corner of building.

b) Remove meter MIS 1419.

39A GROVE STREET - LAVANDEVILLE

a) At 39A Grove Street, install a 44' white zone, extending from west property line on south side.

3653 BUCHANAN - MULHERNS

a) At 3653 Buchanan Street, install a 22' yellow zone, extending from south property line 22' north of same.

2440 LOMBARD STREET - SANDS MOTEL

a) At 2440 Lombard Street, install a 22' white zone, extending from west driveway 22' west of same.

b) Remove meter LOM 2418.

4501-18th STREET - SHOE HORN

a) At 4501-18th Street, install a 22' green zone, extending 22' west of east property line.

1823 CLEMENT STREET - PHOENIX BAKERY

a) At 1823 Clement Street, install a 22' green Zone, extending from east property line 22' west of same.

2080 JEFFERSON STREET - CONSULATE GENERAL OF SPAIN

a) At 2080 Jefferson Street, install a 22' white zone, extending from 12' east of east property line to 24'. (Also paint driveway tips read.)

b) At 2080 Jefferson Street, install a 22' white zone, extending 22' east of the east driveway tip.

101 GOUGH STREET - WEST SIDE LODGE

a) At 101 Gough Street, install a 22' white zone, extending from north property line 22' south of same.

120 PAGE STREET - PACIFIC MENTAL HEALTH SERVICE

a) At 120 Page Street, install a 22' white zone, extending from 44' east of west property line to 66' east of same.

b) At 120 Page Street, revoke existing 44' green zone in front of this location (east of west building line.)

35 HICKORY - CATHOLIC SOCIAL SERVICE

a) At 35 Hickory, install a 22' blue zone, extending from west property line to 50 Oak Street.

b) At 35 Hickory, revoke 22' of existing yellow zone.

400 SANSOME STREET - DEPT. OF PUBLIC WORKS

a) At 400 Sansome Street, revoke existing 30' yellow zone, extending from 20' south of the north property line to 50' of same.

1369 HAIGHT STREET - S.F.P.D.

a) At 1369 Haight Street, revoke existing 24' yellow zone, extending from 2' to 26' east of west line.

1200 EDDY STREET - S.F.P.D.

a) At 1200 Eddy Street, revoke existing 40' green zone, extending from 3' to 43' west of Laguna Street.

1212 MARKET STREET - S.F.P.D.

a) At 1212 Market Street, revoke existing 38' yellow zone, extending from 60' to 98' west of Laguna Street.

89 BELLE AVENUE - S.F.P.D.

a) At 89 Belle Avenue, revoke existing 27' green zone, extending from 7' to 34' east of the west property line.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 225 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 697-81

DUANE RETHMEIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Duane Rethmeier against the City and County of San Francisco in the sum of $105.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 698-81

PAMELA ROBERTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pamela Roberts against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 27, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 699-81

JEFFREY J. ROBERTSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey J. Robertson against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 13, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 700-81

PATRICIA A. RYKEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia A. Ryken against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commmssioner Toler

RESOLUTION NO. 701-81

PAUL SCHILLAWSKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Schillawski against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 24, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 702-81

CURT SCHOLZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Curt Scholz against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 703-81

JAMES F. WILKIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James F. Wilkie against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 10, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 704-81

DIANNE M. TONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dianne M. Tong against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 16, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 705-81

JOHN FARRELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Farrell against the City and County of San Francisco in the sum of $55.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 1,1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 706-81

WILLIAM J. IRACKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William J. Iracki against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 707-81

ROBERT KENNEDY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Kennedy against the City and County of San Francisco in the sum of $30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 27, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 708-81

TERRY MABRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry Mabry against the City and County of San Francisco in the sum of $25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 18, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 709-81

JAMES MELLING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Melling against the City and County of San Francisco in the sum of $55.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 7, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 710-81

SHEREE NORTH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sheree North against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 24, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 711-81

MARK NEDZBALA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark Nedzbala against the City and County of San Francisco in the sum of $45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19,1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 712-81

SARA LYNNE BECKHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sara Lynne Beckham against the City and County of San Francisco in the sum of $211.85 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 15, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 713-81

CORNELY COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim against the City and County of San Francisco in the sum of $404.91 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 24, 1981

AYES: Commissioners Daly,Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 714-81

TONY TUFO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tony Tufo against the City and County of San Francisco in the sum of $381.05 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 15, 1981

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 715-81

DEBORAH DANIELS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Deborah Daniels in the sum of $2,500.00 in Superior Court Action No. 712-401, entitled, "Deborah Daniels v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 26,1976 to March 2, 1976

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 716-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Ronald L. Jackson Police Academy	$838.00	(Attendance at Training Management Course, Tiburon, California,

(from October 19,1981
(to October 30, 1981.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 717-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector Barry Johnson Robbery Detail	$290.00 each	(Specialized Surveillance Equipment, Sacramento, California, from October 19, 1981 to October 23,1981.
Inspector Edwin Kenney Fugitive Detail		
Inspector Clifford Tawney Robbery Detail		

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 731-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector William Wieger General Works Detail	$290.00 each	(Introduction to Crime Analysis Training Course,

Inspector Alfredo Matteoni General Works Detail	Sacramento, California, from October 26, 1981 to October 30, 1981.
Inspector Juan Morales General Works Detail	
Assistant Inspector John Hennessey General Works Detail	

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 730-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Inspector Gerald McCarthy Intelligence Unit	$290.00	Urban Terrorist Activity Training Course, Sacramento, California, from October 26, 1981 To October 30,1981.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 718-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Inspector Robert Stone Arson Task Force Unit	$509.00	2nd Annual Advanced Arson Investigation Seminar, Las Vegas, Nevada from October 26,1981 to October 30,1981.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 719-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Inspector Edward Tank) Burglary Detail)	$285.00	(32nd Annual Western (States Safe and Burg- (lary Investigators Sem- (inar, Santa Barbara, (California, from Novem- (ber 2, 1981 to November (5, 1981.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 720-81

TRAVELING EXPENSE VOUCHER- APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Joseph) Ditto) Vice Crimes-Narcotics) Division)	$580.00	(Narcotic Investiga- (tion, Sacramento, Cal- (ifornia, from October (18,1981 to October (30, 1981.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 721-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Criminalist) Richard Grzybowski	$350.00	(California Association (of Criminalists/Northwest

(Association of Forensic
(Scientists Semi-Annual
(Seminar, Lake Tahoe, Cal-
(ifornia, from November 4,
(1981 to November 7,1981.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 722-81

AUTHORIZING ATTENDANCE OF SERGEANT/ASSISTANT INSPECTOR JAMES GRIFFIN AND SERGEANT/INSPECTOR MORGAN PETERSON, JUVENILE BUREAU, AT THE JUVENILE LAW ENFORCEMENT OFFICERS TRAINING COURSE IN SACREAMENTO, CALIFORNIA, FROM DECEMBER 13, 1981 TO DECEMBER 18, 1981.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Assistant Inspector James Griffin and Sergeant/Inspector Morgan Peterson, Juvenile Bureau, be detailed to attend the Juvenile Law Enforcement Officers Training Course in Sacramento, California, from December 13, 1981 to December 18, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Assistant Inspector James Griffin and Sergeant/Inspector Morgan Peterson, in an amount of $440.00 each for tuition, subsistence and travel are reimbursable by P.O.S.T., in addition to 30% of salary during training.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Sanchez said that he would like to say on behalf of the Commission that the City and County and the Department are very much indebted to those Officers of the Department who are appearing here tonight pertaining to the outstanding service they have performed above and beyond the line of duty. He said he would also like to congratulate their loved ones and families who continue to support them, as likewise the Department and Police Commission, as they carry out their critical task of law enforcement in this city.

The awards were given as follows:

Police Officer Donald (nmi) Clyburn	Bronze Medal of Valor
Police Officer Daniel J. May	Bronze Medal of Valor
Police Officer Randolph M. Radosevich	Bronze Medal of Valor
Police Officer George S. Stasko	Bronze Medal of Valor
Police Officer Charles J. Keohane	Bronze Medal of Valor
Police Officer Theodore A. Schlink III	Bronze Medal of Valor
Police Officer Mary R. Nilan	Bronze Medal of Valor
Police Officer James N. Speros	Bronze Medal of Valor
Police Officer Catherine B. McKulsky	Bronze Medal of Valor
Police Officer Richard P. Wallett	Bronze Medal of Valor
Police Officer James S. Gervasi	Bronze Medal of Valor
Sergeant Thomas J. Gerard	Silver Medal of Valor
Sergeant John R. Troche	Silver Medal of Valor
Police Officer David M. Alex	Silver Medal of Valor
Police Officer Daniel P. Gardner	Silver Medal of Valor
Police Officer Thomas M. O'Connor	Silver Medal of Valor
Police Officer Michael J. Boyd	Gold Medal of Valor
Police Officer James S. Gervasi	Gold Medal of Valor

POLICE COMMISSION REPORT

Commissioner Murphy called for a report and a schedule of Hearings and other matters coming before the Commission in the near future. She said she would like a schedule of those items showing what will be coming before the Commission for the next 90 days.

Staff acknowledged this request and said the report would be ready for the Commissioners at the next Commission meeting.

CHIEF'S REPORT TO THE POLICE COMMISSION

Sergeant Al Benner, at the request of the Chief, presented to the Commissioners an oral and written overview on an Oakland Police Department's Peer Review Panel which was utilized by them in 1969 and 1973 which was an effort to cut down the amount of Internal Affairs complaints received by the Oakland Police Department.

He said he conversed with the people who were extensively involved in the process and was provided with the information he is presenting tonight. He said the purpose of the panel they created was to reduce confrontation and violence experienced by Oakland Police Officers and also by the people they arrested. He said the unit only remained in existence to 1973 primarily because of staffing and budgeting issues. He said it was re-instituted in 1976 but they tried to take on too much in that many other areas were also planned to be treated and they could not cope with the expansion.

On another subject, he mentioned proposals that are now being considered to institute psychological testing for persons coming into the San Francisco Police Department. He said he and his fellow members will be taking a look at what is being used along these lines throughout the State of California.

Commissioner Murphy said the Sergeant's report tonight came about as a result of a report she received from the National Association of Social Workers Bulletin indicating that this type of a program had been in operation in the Oakland Police Department. She said she felt the other Commissioners should also be aware of it.

Commissioner Sanchez then thanked the Sergeant for making a fine presentation.

PUBLIC HEARING RELATIVE TO DEPARTMENT GENERAL ORDER T-1, SECONDARY EMPLOYMENT. (CONTINUED FROM THE MEETING OF NOVEMBER 4, 1981.) - CONTINUED TWO (2) WEEKS.

Mr. Bob Barry, President of the San Francisco Police Officers' Association, came before the Commission and stated that this is one of the most sensitive issues that has ever been before th Commission and he would

beg the Commission's indulgence. He said this item effects hundreds of police officers throughout the department and the POA feels that the particular agreement attached to this Order, the Hold Harmless Agreement, isn't necessary. He said what he intends to do is find out from the people who are running the city government just how far they want to go with it. He said in that regard he would request it be continued for another two(2) weeks.

Commissioner Nelder then so moved and Commissioner Murphy seconded and it was unanimously approved and continued for two (2) weeks.

PUBLIC HEARING RELATIVE TO DEPARTMENT GENERAL ORDER I-9, HOSTAGE INCIDENTS

Deputy Chief Shannon said the Departmet had not received any objections to this Order and it is, in fact, a policy that the Department has been using relative to Hostage Negotiations and the Order just formalizes the procedure.

Commissioner Nelder then moved for adoption.

Commissioner Murphy seconded and it was unanimously approved.

RESOLUTION NO. 723-81

DEPARTMENT GENERAL ORDER I-9, HOSTAGE INCIDENTS - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order I-9, Hostage Incidents.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

PUBLIC HEARING RELATIVE TO PROPOSED GENERAL ORDER D-1, GENERAL RULES OF CONDUCT

Deputy Chief Shannon said he and his staff and the San Francisco Police Officers' Association staff met

and conferred on this Order many times and has finally come to a resolution on it. He said the Department now recommends adoption.

He said the next set of Rules to be placed into General Order form would be Station Procedures.

Commissioner Nelder then moved approval, seconded by Commissioner Murphy and it was unanimously approved.

RESOLUTION NO. 724-81

DEPARTMENT GENERAL ORDER D-1, GENERAL RULES OF CONDUCT - APPROVED

RESOLVED, that the Police Commission hereby adopts Department General Order D-1, General Rules of Conduct.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

REQUEST FOR RESOLUTION ESTABLISHING FEES TO BE PAID BY APPLICANTS FOR VEHICLE FOR HIRE PERMITS FOR COSTS OF ADVERTISING, INVESTIGATING AND PROCESSING APPLICATIONS.

Officer Farrell Suslow of the Permit Bureau said that this item was drafted in accordance with Proposition K, which states that the applicant for a Public Convenience and Necessity Hearing shall pay the cost as charged. He said the last time the fee was set was in 1979. The Commission set it at that time in Commission Resolution No. 108. He said since that time the cost to the Department has risen as indicated on the document the Commissioners now have before them.

Commissioner Murphy then moved for approval, seconded by Commissioner Daly and unanimously approved.

RESOLUTION NO. 725-81

FEES TO BE CHARGED APPLICANTS FOR VEHICLE FOR HIRE PERMITS.

WHEREAS, the Police Commission in Resolution No. 108-79, and in accordance with the provisions of Prop-

osition K an initiative ordinance adopted by the voters of San Francisco on June 6, 1978, set the fee for filing a Public Convenience and Necessity application for a Vehicle for Hire Permit at $40.00; and

WHEREAS, the Permit Section has determined that the cost of advertising, court reporting and Department processing has risen to $96.00; therefore be it

RESOLVED, that pursuant to the provisions of Proposition K an initiative ordinance adopted by the voters of San Francisco on June 6, 1978, the Police Commission does hereby amend Resolution No. 108-79 by establishing a fee of $96.00 for the filing of an application for Public Convenience and Necessity for a Vehicle for Hire Permit.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 726-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER MICHAEL REGALIA, RICHMOND POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Michael Regalia, Richmond Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Michael Regalia, that the date for the hearing before the Police Commission be set for January 13, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael Regalia, Richmon d Police Station, is set for Wednesday, January 13, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 727-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER DARYL P. WILLIAMS, MUNI TRANSIT POLICE DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Daryl P. Williams, Muni Transit Police Division, was called, it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Daryl P. Williams, that the date for the hearing before the Police Commission be set for January 13, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Daryl P. Williams, is set for Wednesday, January 13, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

HEARING OF SERGEANT RICHARD BRAUN, SUPPORT SERVICES BUREAU-RECORDS DIVISION

The hearing of Sergeant Richard Braun, Support Services Bureau-Records Division, was called, it having been set for this date. Sergeant Richard Braun was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to properly attend to his assigned duties and submitting false and inaccurate Weekly Activity Reports. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to obey and promptly execute a lawful order of a superior officer. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Sergeant Richard Braun appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Martin, Attorney at Law, appeared as the Prosecutor for the Police Department.

Mr. Stephen Bruce Bley entered on behalf of his client a plea of "guilty" to Specifications No. 1 and No. 2.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 729-81

DECISION - HEARING OF SERGEANT RICHARD BRAUN, SUPPORT SERVICES BUREAU-RECORDS DIVISION

WHEREAS, on September 14, 1981, Cornelius P. Murphy, Chief of Police, made and served charges against Sergeant Richard Braun, as follows:

SPECIFICATION NO. 1

a) At all times mentioned herein Sergeant Richard Braun was a police officer employed by the San Francisco Police Department assigned to the Internal Affairs Bureau;

b) At all times mentioned herein Sergeant Richard Braun was and is responsible for knowing and obeying the Rules and Procedures of the San Francisco Police Department;

c) On February 15, 1980 a complaint of misconduct was made to the Internal Affairs Bureau by a Mr. Hale;

d) On February 22, 1980, the aforementioned

complaint was assigned to Sergeant Richard Braun for investigation in his capacity as an investigator assigned to the Internal Affairs Bureau;

e) On April 2, 1980, Sergeant Braun had completed his preliminary investigation and received a rough draft of his report from the Internal Affairs Bureau typist;

f) On or about April 18, 1980, Sergeant Braun was instructed to interview other officers involved in the complaint of arrest and incident;

g) On May 19, 1980 the Chronological Report of investigation reflected that all officers had been interviewed;

h) During the period May 23, 1980 and December 31, 1980 Sergeant Braun failed and/or neglected to list the aforementioned case on his weekly activity report as pending and failed after being ordered and/or instructed to complete said case assignment;

i) During the period January 1, 1981 to March 5, 1981, Sergeant Braun failed to list the aforementioned case as pending and further failed to complete the case as instructed and/or ordered;

j) On March 5, 1981, Captain John Mahoney ordered and/or instructed Sergeant Braun to complete the aforementioned case as soon as possible;

k) On or about June 10,11981, the aforementioned case was finished by Sergeant Braun with a finding that the case was sustained;

l) Sergeant Braun, by his conduct in investigating and handling of the aforementioned case, failed to promptly attend to his assigned duties and consistently submitted false and/or inaccurate Weekly Activity Reports thereby subverting the good order, efficiency and discipline of the San Francisco Police Department in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

> 2.13 "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specificially defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

a) Each and every allegation contained in paragraphs (a) through (k) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;

b) At all times mentioned herein Captain John Mahoney was the Commanding Officer of the Internal Affairs Bureau and the superior officer of Sergeant Braun;

c) That on numerous occasions and specifically on or about March 5, 1981 during the aforementioned sixteen month period Sergeant Braun was instructed and/or ordered to complete the abovementioned case as soon as possible;

d) That by his conduct, Sergeant Braun failed to properly obey and promptly execute a lawful order of a superior officer thereby violating Section 2.45 of the Rules and Procedures of the San Francisco Police Department which states a member:

> 2.45 "Shall strictly obey and promptly execute the lawful orders of his superior officers. In case of conflict of orders from superior officers, he shall respectfully call the attention of the superior officer giving the last order to such conflict; should the latter not change his order, it shall be obeyed and the member shall not be held responsible for disobedience of any former order in obeying said last order."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 18, 1981, and on Wednesday, November 18, 1981, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Sergeant Richard Braun as contained in Specification No. 1, Section 2.13 and Specification No. 2, Section 2.45 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Richard Braun shall be suspended for thirty calendar days without pay, twenty (20) of which shall not be imposed, but shall accompany a one-year Probationary Status; and be it further

RESOLVED, that Sergeant Richard Braun, Support Services Bureau-Records Division, is hereby suspended for ten (10)Calendar days without pay, commencing Wednesday,January 6, 1982 at 0001 hours and terminating on Friday, January 15, 1982 at 2400 hours.

Recess taken during the hearing
of Sergeant Richard Braun:

2141 hours to 2152 hours.

(The enitre proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky C.S.R.)

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

The Commission then adjourned its meeting at 9:55 p.m.

SECRETARY

REGULAR MEETING

25 NOVEMBER 1981

The Police Commission of the City and County of San Francisco did not hold a meeting on this date.

SECRETARY

DOCUMENTS DEPT.

2 DECEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice,850 Bryant Street,on Wednesday, December 2,1981 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

DOCUMENTS DEPT.
[illegible]
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Commissioner Sanchez presiding.

The Commissioners having received, amended and returned copies of the minutes of the meeting of October 7, 1981, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

929 CLAY STREET - JACK JEW (MEDICAL BLDG.)

a) At 929 Clay Street, install a 22' white zone, extending from 32' to 54' east of west property line.

766 VALENCIA STREET - VALENCIA ROSE CABARET & RESTAURANT

a) At 766 Valencia Street, revoke existing 32' yellow zone, extending from south property line 32' north of same.

b) At 766 Valencia Street, replace with 32' white zone, extending from south property line 32' north of same.

2477 CHESTNUT STREET - RONALD H. MICHAEL INC.

a) At 2477 Chestnut Street, revoke existing 22' yellow zone, extending from east property line 22' west of same.

b) At 2477 Chestnut Street, replace with 22' white zone, extending from east property line 22' west of same.

1325 FLORIDA - SUNSHINE HIGH SCHOOL

a) At 1325 Florida Street, revoke existing 84' white zone, extending from south property line 84' north of same.

b) At 1325 Florida Street, revoke existing 42' white zone, extending 42' south of north property line.

3065 JACKSON STREET - S.F. UNIVERSITY HIGH SCHOOL

a) At 3065 Jackson Street, revoke existing 44' white zone, extending 44' east to west property line of building.

3150 WASHINGTON STREET - S.F. UNIVERSITY HIGH SCHOOL

a) At 3150 Washington Street, revoke existing 56' white zone, extending from 22' to 78' east of existing red zone, leaving a 22' white zone.

3185 WASHINGTON STREET - S.F. UNIVERSITY HIGH SCHOOL

a) At 3185 Washington Street, revoke existing 30' white zone, extending from 22' to 52' west of existing red zone. 22' white zone to remain.

1630 OCEAN AVENUE - S.F.P.D. - REVOKED

a) At 1630 Ocean Avenue, revoke existing 36' yellow zone, extending from 22' west of to 14' east of the east line of 1630 Ocean Avenue.

330 RITCH - S.F.P.D. - REVOKED

a) At 330 Ritch, revoke existing 33' yellow zone, extending between driveways.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 379 feet of yellow and white zones, at the parts of the City, at the locations submitted, be,and the same are hereby approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 732-81

MICHAEL A. DONNELLAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael A. Donnellan against the City andCounty of San Francisco in the sum of $160.78 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 14, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 733-81

MARIA ELVIRA CORDOBA

RESOLVED, that the recommendation of the City

Attorney for settlement of the claim of Maria Elvira Cordoba against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 29, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 734-81

JAMES R. SIELAFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James R. Sielaff against the City and County of San Francisco in the sum of $203.65 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 1, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 735-81

RAY BANNISTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ray Bannister against the City and County of San Francisco in the sum of $294.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 18, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 736-81

DOUGLAS I. CRAMER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Douglas I. Cramer against the City and County of San Francisco in the sum of $58.36 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 18, 1981

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 737-81

EDNA JOSEPHINE NEZIK

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Edna Josephine Nezik in the sum of $2,000.00 in Superior Court Action No. 755-761, entitled, "Edna Josephine Nezik vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 1977

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 738-81

PERCY L. WILSON AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Percy L. Wilson and his attorney in the sum of $1,500.00 in Superior Court Action No. 741-435, entitled "Percy L. Wilson vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 5, 1977 - End of December,1977

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 739-81

LEO BAZILE, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leo Bazile in the sum of $33,909.89 in Superior Court Action No. 74-0867, entitled, "Leo Bazile, et al. vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: N/A

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 740-81

JOSEPH B. WILLIAMS, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Joseph B. Williams, et al., in the sum of $21,916.70 in Superior Court Action No. 74-0866, entitled, "Joseph B. Williams, et al., vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: N/A

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 741-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Cornelius P. Murphy) Chief of Police)	$225.00 each	(California Peace (Officers Association

Captain Richard H. Trueb Legal Office	(CPOA) Annual All Committee Conference, Fresno, California, from November 1,1981 to November 4,1981.
Captain Richard D. Klapp Police Academy	
Civilian Attorney Robert Martin Legal Office	
Sergeant William Kidd Operation "S"	

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 742-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Commander Gerald D'Arcy Traffic Bureau	$202.00 each	California Peace Officers Association (CPOA) All Committee Conference at Fresno, California, from November 2,1981 to November 3, 1981.
Sergeant Alan Benner Recruitment		

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 743-81

AUTHORIZING ATTENDANCE OF SERGEANT MICHAEL PERA, PUBLIC AFFAIRS OFFICE, AT THE PUBLIC INFORMATION OF THE POLICE, IN SAN FRANCISCO, CALIFORNIA, FROM JANUARY 11, 1982 THROUGH JANUARY 15, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Michael Pera, Public

Affairs Office, be detailed to attend the Public Information Function of the Police Training Course, in San Francisco, California, from January 11, 1982 through January 15,1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Pera in a sum not to exceed $325.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Muprhy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 744-81

AUTHORIZING ATTENDANCE OF SERGEANT/ASSISTANT INSPECTOR JAMES L. GRIFFIN, JUVENILE BUREAU, AT THE DELINQUENCY CONTROL INSTITUTE IN LOS ANGELES, CALIFORNIA, FROM JANUARY 19, 1982 TO FEBRUARY 27, 1982

RESOLVED, that the recommendation of the Chief of Police that Sergeant/ Assistant Inspector James L. Griffin, Juvenile Bureau, be detailed to attend the Delinquency Control Institute in Los Angeles, California, from January 19,1982 to February 27, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Assistant Inspector James L. Griffin in a sum not to exceed $2,315.00 for subsistence and travel are reimbursable by P.O.S.T.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

POLICE COMMISSION REPORT

The Commission presented no report at this meeting.

CHIEF'S REPORT TO THE POLICE COMMISSION

Traffic Officer of the Month

Chief Murphy advised the Commissioners that this was the night for the Traffic Officer of the Month Award and he called upon Sergeant Gary Epperly to make the announcement of the recipient of this month's award and Mr. Frank Simon from the Chamber of Commerce to present the award.

Sergeant Epperly said this month the award recipient if Officer Faenzi. He said Officer Faenzi, currently on the Solo/Motorcycles, was chosen for the award because he was responsible for 7 crime reports and investigations, 8 bookings and he wrote 148 moving traffic violations. He said he also investigated 15 accidents, property damage and personal injury, and for the year to date he has handled 72 crime reports, made 60 arrests and issued 609 moving violations.

Mr. Frank Simon of the Chamber of Commerce in making the presentation said that he did not think the awards given to the officer are good enough for this officer, this evening, no matter what they are. He said but what he will present is through the courtesy of Ernie's Restaurant is dinner for two, dinner for two at Castignoli's on the waterfront and accommodations for the officer and his wife for two evenings at the St. Francis Hotel. He said also there will be a billboard up at the corner of 8th and Folsom Streets, with his portrait on it for a couple of weeks.

Commissioner Sanchez said this, the idea to take time between the City's businesses and the City's law enforcement services in San Francisco is unique to this nation. He said it is a very special occasion for the Police Commission, to see San Francisco's Businesses and Industries paying tribute to San Francisco's finest. He said on behalf of the Police Commission he wanted to thank Mr. Simon and the Chamber of Commerce and the Chief for working out this concept over the past few months.

He then congratulated the officer, his wife and family, for doing an outstanding job for the city of San Francisco.

The Chief said the second part of his report would be presented by Lieutenant Thorsen of the Community Services Division, Community Relations Unit, on the Summer Youth Program - An Adventure

Program, which was started in the Department last summer and has been continued on an annual basis.

Lieutenant Thorsen said that when the Community Relations Unit was re-instated over a year ago, it assigned itself the task of bringing the Unit closer to the District Station Personnel and also dealing with the problems of young people. He said they now have programs going throughout the city, but of special importance is a program that involves both the men from the District Stations and it's involvement with youth, those youth who are mostly in trouble with the law.

He then turned the matter over to Officers Walter Scott and Timothy Foley who presented a slide show to the Commission which is used to entice the young people into the program.

Officer Scott in presenting this material, said the main purpose of the Department's undertaking of this program is to bring the youth of San Francisco together with their officers for a period of, normally, four to five days in an activity that is enjoyable but also challenging as well.

The Commissioners after listening to, and viewing the slide show presented by the officers, congratulated them for a job well done and also congratulated the San Francisco Police Officers' Association who contributed a great deal of money to support the program.

RECOMMENDATIONS OF THE AWARDS COMMISSION

Commissioner Nelder who chaired the last Awards Committee Meeting recommended approval of the Awards Committee's recommendations.

This was put in the form of a motion which was seconded by Commissioner Murphy and unanimously approved.

Date for the presentation was set for January 6, 1982.

RESOLUTION NO. 745-81

RECOMMENDATIONS OF THE AWARDS COMMITTEE -APPROVED

RESOLVED, that the following-named members of

the Police Department be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, Bronze Medal and Meritorious Conduct, under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, November 20, 1981:

Police Officer Edward J. Weaver	Gold Medal of Valor
Captain Donald L. Taylor	Silver Medal of Valor
Police Officer Edward G. Buck	Silver Medal of Valor
Police Officer Kevin F. Callanan	Silver Medal of Valor
Police Officer Duane C. Collins	Silver Medal of Valor
Police Officer Michael P. Collins	Silver Medal of Valor
Police Officer Kitt E. Crenshaw	Silver Medal of Valor
Police Officer Thomas M. Heffernan	Silver Medal of Valor
Police Officer Robert A. Srock	Silver Medal of Valor
Police Officer Bernard J. Sullivan	Silver Medal of Valor
Police Officer Alex T. Williams	Silver Medal of Valor
Parking Control Officer Lorenzo R.Valdez	Silver Medal of Valor
Inspector Richard D. Adkins	Bronze Medal of Valor
Inspector Vincent D. Repetto	Bronze Medal of Valor
Police Officer John M. Farnham	Bronze Medal of Valor
Police Officer Daniel J. Ferretti	Bronze Medal of Valor
Police Officer Earl E. Wismer	Bronze Medal of Valor
Police Officer John P. Fewer	Bronze Medal of Valor
Police Officer Eugene E. Kalinin	Bronze Medal of Valor
Inspector Charles E. Brewster	Meritorious Conduct Award

Inspector Calvin L. Nutting...Meritorious Conduct Award

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 746-81

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission on Wednesday, December 2, 1981; and

WHEREAS Chief of Police Cornelius P. Murphy, has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officer Edward J. Weaver, be, and he is hereby awarded a Gold Medal of Valor and granted a reward of $200.00 as provided for under said section of the Charter; and be it further

RESOLVED, that Captain Donald L. Taylor, Police Officer Edward G. Buck, Police Officer Kevin F. Callanan, Police Officer Duane C. Collins, Police Officer Michael P. Collins, Police Officer Kitt E. Crenshaw, Police Officer Thomas M. Heffernan, Police Officer Robert A. Srock,Police Officer Bernard J. Sullivan, Police Officer Alex T. Williams, and Parking Control Officer Lorenzo R. Valdez, be, and they are hereby awarded Silver Medals of Valor and granted a reward of $100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Richard D. Adkins, Inspector Vincent D. Repetto, Police Officer John M.Farnham, Police Officer Daniel J. Ferretti, Police Officer Earl E. Wismer, Police Officer John P. Fewer, Police Officer Eugene E. Kalinin, be, and they are hereby awarded Bronze Medals of Valor and granted a

reward of $50.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Charles E. Brewster and Inspector Calvin L. Nutting, be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of $50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

PUBLIC HEARING ON PROPOSED SYSTEM FOR SERVING YOUTHFUL STATUS OFFENDERS

Ms. Marilyn Borovoy, Chairman of the AB 90-Youth Services Task Force of the Mayor's Criminal Justice Council, stated that they had sent the Commission a proposed plan they would like to introduce into the City of San Francisco. She said last August the MCJC was given the charge from the Board of Supervisors to come up with a specific plan, including a comprehensive budget for family focused culturally relevant neighborhood service for Status Offenders. She said the plan is, in essence, one that would have the youthful status offenders be taken to a community based agency. She then explained some of the more meaningful aspects of the plan in that an officer, when coming into contact with a youth, run a standard field check, then pick up the phone, and, she said, there will only be one phone number to call at the Youth Guidance Center which will be manned on a 24 hour basis by a Probation Officer who upon notification that the officer has this youth will say what agency the youth should be taken to and where there will be a counselor to work with that particular youth.

She said what they would be asking the Police Commission to do at this time would be to approve this plan.

She said the Commission prepared and approved a Resolution on October 29, and in that Resolution the words, 'be taken to a Probation Officer,' could be interpreted as being physically taken. She said she would request that it be amended to "be referred" instead of "be taken."

Mr. Joe Botka, Chief Juvenile Probation Officer, stated that his department had participated in the development of this plan, and,he said, they would cooperate, however, he stated that this cooperation

does not mean that this is an endorsement of the plan which would not be in effect until it is endorsed by the Superior Court.

He said from his point of view the police officer who picks up a Status Offender will maintain his prerogative and for whatever reason he may believe this child should not be sent to an open setting the Youth Guidance Center is available. He said this is not stated in the plan. He said as far as the Juvenile Probation Department is concerned they do think this plan is a good one to try and that they will phase it in and take responsibilities in making such changes as necessary in their working relationship with the Police Department in their efforts to make it work to the best of their ability.

After further discussion, Commissioner Nelder moved to accept the Plan as presented and to amend the Commission's earlier Resolution to reflect the word "referred" as opposed to "be taken."

The resolution should now read:

RESOLUTION NO. 747-81

AMENDING RESOLUTION NO. 634-71, REGARDING YOUTHFUL OFFENDERS

BE IT RESOLVED, that it is the policy and practice of the San Francisco Police Department that status offenders who are taken into vustody by members of the department be referred to the probation officer in compliance with the Welfare and Institutions Code of the State of California, and that although we support community-based organization involvement in a program to serve status offenders, we feel that the probation officer should be directly involved as the primary contact between the Police Department and any community-based organizations.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

PUBLIC HEARING RELATIVE TO DEPARTMENT GENERAL ORDER T-1, SECONDARY EMPLOYMENT. (CONTINUED FROM THE MEETING OF NOVEMBER 18,1981.)

Mr. Bob Barry of the San Francisco Police Officers' Association,said that the present state of the law under two Supreme Court Cases talk about the private

citizen aspect versus the peace officer aspect when you are engaged in secondary employment. He said he disagrees with those opinions and the San Francisco Police Officers' Association is trying to overturn them now through legislation that's already been introduced. He said they did not feel because an individual officer is forced to seek secondary employment that he should lose that peace officer status. He said if he walked in off the street and viewed a robbery in progress and took some action and while doing so received some injury he would be fully covered. He said because the officer is on the other side of the counter and he is the one that gets robbed, he doesn't have that status, and his association does not feel this is proper and a lot of the people in the legislature doesn't feel it is proper either and that is why the association is trying to overturn both those Supreme Court Cases. He said they will know by the 2nd or 3rd week in January if this Bill to accomplish this task is ever going to get out of Committee. He said if it does not then, obviously, they (SFPOA) will have lost hope in overturning those cases.

Commissioner Nelder moved that it be continued to the middle of January. It was then seconded by Commissioner Toler and unanimously approved.

RESOLUTION NO. 753-81

REQUEST OF POLICE OFFICER PATRICIA JACKSON, PARK POLICE STATION, TO APPEAL TWO DAYS' SUSPENSION

WHEREAS, a communication was received from Cornelius P. Murphy, Chief of Police, officially notifying the Police Commission of the suspension of Police Officer Patricia Jackson, Park Police Station, for a period of two days, commencing at 0001 hours on Wednesday, October 28, 1981 and ending at 2400 hours on Thursday, October 29,1981, for violation of departmental weight standards; and

WHEREAS, a communication was received from Paul C. Chignell, Vice-President, San Francisco Police Officers' Association, requesting a hearing before the Police Commission for Officer Patricia Jackson, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department, to appeal her disciplinary suspension for a period of two (2) days by Cornelius P. Murphy, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer Patricia Jackson, Park Police Station, for a

hearing before the Police Commission to appeal her suspension by Chief of Police Cornelius P. Murphy, for a period of two (2) days commencing 0001 hours on Wednesday, October 28,1981 and ending at 2400 hours, on Thursday, October 29, 1981, be, and the same is hereby set for Wednesday January 20, 1982 at 5:00 p.m, in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

PUBLIC HEARING ON PROPOSED AMENDMENT TO PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE TO ADD SECTION 202.D THERETO, PROHIBITING PARKING AT DISABLED OR BROKEN PARKING METERS-DISAPPROVED.

Commissioner Sanchez said this matter had been discussed several weeks ago and there has been a great amount of discussion about it and it was set this evening for public hearing.

He then invited those parties present who wished to speak on the issue, either pro or con, to come to the microphone, give their name and indicate whether they were for it or if it should be totally abolished.

The speakers were as follows:

Mr. Jim Rourke indicated he was against it as he was one of the frustrated public attempting to try to find a parking place in this city for over 70 years. He said this is a bad piece of legislation and owuld recommend that it be disapproved.

Other speakers who indicated they were also opposed for various and sundry reasons were as follows:

Mr. Arthur C. Chase, Mr. J. Lyam. Mr. Edward Heavey requested to speak but then spoke on another subject stating that he has been increasingly concerned with the growing criminal rampage in San Francisco.

Sergeant John Newlin in getting back to the proposed Parking Meter Ordinance, then made a presentation on behalf of the Department in support of this legislation saying 8% of the city's meters, by being jammed, are down at any one time. He said this ordinance is the most effective way to combat this problem. He said he felt that be giving this proposal a six (6) month test, it will remove the

incentive for jaming meters and increase parking for everyone to the tune of over a million parking spaces annually and reduce the congestion in the city.

Mr. Robert Martin, Attorney for the Legal Office, speaking as a private citizen also spoke and indicated that he was also against the proposed legislation. His contention was to amend the legislation to reflect a lesser fine to a dollar, or two dollars, instead of the ten dollars for parking where a meter has been jammed.

Commissioner Nelder then said he did not think the citizen should be punished as he was sure that this legislation would do and he then said he would make some recommendations. He recommended that Sergeant Newlin meet with the presiding Judge of the Municipal Court in an effort to inflict the maximum punishment on persons apprehended while deliberately jamming meters from an infraction to a misdemeanor and making it a much stiffer penalty, No. 3, confer with the Chief and get the Traffic Bureau to meet with all of the watches at the nine (9) District Stations and apprise them of the problem that they have before them where there is deliberate jamming of parking meters and by enlisting their aid in that while on patrol if persons are observed committing this violation to take the necessary action. He said the Bureau of Inspectors and the Vice Squad could also be so apprised to take appropriate action. He said this avenue of approach should be tried for six (6) months and thereafter, return to the Commission and report just what the result of this proposal has been.

This was put in the form of a motion and seconded by Commissioner Toler.

Commissioner Murphy said she did not feel it would be effective but she said she would vote approval of the motion.

Commissioner Sanchez then called for the vote and it was unanimously approved.

The earlier approval of this ordinance several weeks ago was also rescinded.

RESOLUTION NO. 748-81

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE, BY ADDING SECTION 202.D THERETO, PROHIBITING PARKING AT DISABLED OR BROKEN PARKING METERS - DISAPPROVED.

WHEREAS, the Police Commission held a hearing

on Wednesday, October 28, 1981, and adopted Resolution No. 669-81 amending Part II, Chapter XI of the San Francisco Municipal Code, by adding Section 202.D thereto, prohibiting parking at disabled or broken parking meters, and approved said amendment; and

WHEREAS, it was pointed out that a significant number of citizens objected advising that they had not had proper notification, and requested further hearings; and

WHEREAS, the Police Commission held a subsequent hearing on this matter on Wednesday, December 2, 1981, and at that hearing disapporved the proposed amendment; therefore be it

RESOLVED, that the Police Commission does hereby disapprove the proposed amendment to Part II, Chapter XI of the San Francisco Municpal Code, adding Section 202.D thereto, prohibiting parking at disabled or broken parking meters.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 749-81

REQUEST OF MR. TRINIDAD MARTINEZ TO SUSPEND OPERATION OF HIS JITNEY BUS PERMIT FROM OCTOBER 24, 1981 TO JANUARY 21, 1982 - APPROVED

WHEREAS, Mr. Trinidad Martinez has requested that permission be granted to suspend operation of his motor vehicle for hire permit from October 24, 1981 to January 21, 1982; and

WHEREAS, Mr. Martinez did not appear in person and was not represented by counsel; however, Officer Farrell Suslow of the Permit Bureau, indicated that at a Chief's hearing it was recommended that Mr. Martinez' request be approved; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Martinez for permission to suspend operation of his motor vehicle for hire permit from October 24, 1981 to January 21, 1982, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 750-81

REQUEST OF MS. ELIZABETH MEIER TO SUSPEND OPERATION OF HER JITNEY BUS PERMIT FROM NOVEMBER 13,1981 TO FEBRUARY 11, 1982 - APPROVED

WHEREAS, Ms. Elizabeth Meier has requested that permission be granted to suspend operation of her motor vehicle for hire permit from November 13, 1981 to February 11, 1982; and

WHEREAS, Ms. Meier did not appear in person and was not represented by counsel; however, Officer Farrell Suslow of the Permit Bureau indicated that at a Chief's hearing, it was recommended that Ms. Meier's request be approved; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Ms. Elizabeth Meier for permission to suspend operation of her motor vehicle for hire permit from November 13,1981 to February 11, 1982, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 751-81

REQUEST OF MR. WILLIAM LOSA TO SUSPEND OPERATION OF HIS JITNEY BUS PERMIT FROM OCTOBER 14,1981 TO JANUARY 11, 1982 - APPROVED

WHEREAS, Mr. William Losa has requested that permission be granted to suspend operation of his motor vehicle for hire permit from October 14,1981 to January 11, 1982; and

WHEREAS, Mr. Losa did not appear in person and was not represented by counsel, however, Officer Farrell Suslow of the Permit Bureau indicated that at a Chief's hearing, it was recommended that Mr. Losa's request be approved; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. William Losa for permission to suspend operation of his motor

vehicle for hire permit from October 14, 1981 to January 11, 1982, be, and the same is hereby approved.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

AMENDMENT TO UNIFORM AND SPECIFICATIONS OF THE SAN FRANCISCO POLICE DEPARTMENT.(TWO PIECE SERVICE SUIT FOR ASSAULT TEAM MEMBERS.)

Deputy Chief Shannon said, basically, this is the same camouflage uniform worn by the U.S. Marines and would only be worn by an officer in a situation in which they are set up for a possible assault. He said it is a specific uniform for a specific purpose and not worn on a regular basis in demonstrations or any such thing as that.

Commissioner Nelder moved approval, seconded by Commissioner Murphy and it was unanimously approved.

RESOLUTION NO. 752-81

UNIFORM SPECIFICATIONS OF THE SAN FRANCISCO POLICE DEPARTMENT - TWO PIECE SERVICE SUIT FOR ASSAULT TEAM MEMBERS - APPROVED

RESOLVED, that effective at 0001 hours, December 3, 1981, the uniform of officers trained as specialists and assigned to assault teams shall be: a two piece camouflage service suit, black and gray in color.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTON NO. 754-81

SERGEANT ROBERT DILLON, TARAVAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Robert Dillon, Taraval Police Station, as follows:

SPECIFICATION NO. 1

Drinking intoxicating liquor while on duty and in uniform. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to strictly obey and promptly execute a lawful order of his superior officer. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Robert Dillon, Taraval Police Station, is set for Wednesday, January 13, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

STATUS REPORT IN THE MATTER OF POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

Mr. Robert Martin said he had received no communication from Mr. Senhaux' attorney Mr. George Walker. He said he checked with the computer today and learned that Mr. Senhaux has been granted diversion and the diversion report itself is not due until May 13, 1982. He said he would recommend that Mr. Walker be notified that it is the Department's position that it will, in fact, proceed with the charges against Officer Senhaux at this time.

Commissioner Nelder then moved that the matter be set for hearing on January 20, 1982.

Mr. Martin then stated that he would prefer that Mr. Walker be notified that on the 20th a trial date would be set at that time rather than a

trial date itself.

Commissioner Nelder said in that case he would move that it be calendared for the 16th of December for a date to be set for hearing.

It was then moved and seconded that the matter be placed on the Commission Calendar for the 16th of December for setting of a hearing date at that time.

RESOLUTON NO. 755-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

WHEREAS, the status report in the matter of Police Officer Lucien R. Senhaux, Southern Police Station, was called, it having been set for this date;and

WHEREAS, a communication was received from Mr. George G. Walker, attorney for Police Officer Lucien R. Senhaux, requesting a continuance in this matter; therefore be it

RESOLVED, that the date for the setting of the disciplinary charges filed against Police Officer Lucien R. Senhaux, Southern Police Station, is set for Wednesday, December 16, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

PUBLIC HEARING ON NEW RULES AND PROCEDURES AND NEW UNIFORM AND EQUIPMENT SPECIFICATIONS FOR PATROL SPECIAL OFFICERS. (CONTINUED FROM THE MEETING OF APRIL 8,1981.)

Commissioner Sanchez said he would like the Chief and Deputy Chief Shannon to open up the discussion on this matter and thereafter, the representatives of the Patrol Special Officers and other interested parties in attendance will be allowed to present their point of view.

Deputy Chief Shannon said he has just passed out a document with a draft of an additional section on Patrol Special Officers and their Assistants. He then read it into the record: "A Patrol Special Officer or an Assistant Patrol Special Officer when providing guard or security service outside the designated boundary of his beat area shall first obtain and possess a valid private patrol operators license from the issuance agency of the State of California as required and described in Section 7500 et seq of the California Business and Professions Code. Any proposed service shall first be submitted to and approved by the Chief of Police in writing before providing such service. Any Patrol Special Officer or Assistant Patrol Special Officer when providing any guard or security service with a two way subscriber on a one time basis whether within or without the boundaries of his designated beat area shall not employ persons who have not completed a course of instructions whereby they comply with and possess a current valid certification as a security guard by the Bureau of Collections in Investigative Services." He said this would be placed as Rule 1.26 of the Rules and Procedures for Patrol Special Officers. He said the Department is requesting that this be added to Patrol Special Rules at this time.

After acknowledgement from the Commission, Deputy Chief Shannon said the Rules to be considered tonight were developed as a direct result of communications this Department had with the Post Commission regarding Peace Officer Status of Patrol Special Officers.

He said the Police Commission has the authority to grant Peace Officer Status to Patrol Special Officers but if this is done then said officers would have to have the same training as that provided for regular police officers as proscribed by Peace Officers Standards and Training Rules and Procedures.

He said this is a minimum of 400 hours in a certified Training Course. He continued by saying that the Department has stated in the Rule Book, a proposed rule that a Patrol Special Officer is, in fact, not a peace officer and if the Commission accepts these rules the effect of it will be to take the peace officer status away from Patrol Special Officers and this is the major change in the rules section.

He said there are also proposed changes in the uniform section. Originally, he said, the Department proposed a change of the color of the uniform, however, that has now been modified to only make just a couple of changes which would be in the case of the uniform shirt to light blue in color. He said they have also recommended

changes in the uniform coat by adding a light blue stripe on the edge of the sleeve of their coats and a light blue stripe down the sides of their pants.

He said another recommended change is their Star which would be changed to a shield along with a change of their hat emblem.

Deputy Chief Shannon said the reason for the recommended changes is is that the Department would not be able to provide the training as called for by POST.

Mr. Martin of the Department's Legal Office said that the law has changed as far as peace officer status and if the Commission does intend to confer peace officer status on Patrol Specials then they, by necessity, will have to have this training.

He said the Commission has to decide whether or not they want individuals, who, whether by representation or by acceptance by the public based upon the uniform is, in fact, a trained police officer of this city.

He also said, can the Department impose the responsibility upon them to do something, or to represent themselves, or to put themselves in a position whereby someone may call upon them to do something which they are not empowered to do by virtue of the uniform they are now wearing? He said this is what the Commission must take into consideration.

After the Department's presentation, Commissioner Sanchez requested to hear from the Patrol Special Officers' Representatives.

Mr. Ephraim Margolin then came forth and stated that he was the attorney for the Patrol Special Officers Association. He then made a brief presentation and, thereafter, made suggestions that he hoped would be acceptable to the Commission. He said the Patrol Special Officers he represented, given sufficient time to complete the training, will be POST certified. He said he would suggest a one (1) year trial period (he later conceded to 15 months) to experiment with. He said he would also suggest that both sides maintain their legal arguments but there should be an experiment not touching on legal questions during the one (1) year period and let the Patrol Special Officers maintain their current peace officer status and then be re-evaluated after this one (1) year period.

He said they agreed to amending the uniform to conform with placing of the stripes on the coat and trousers.

Mr. Louis Giannini, also an attorney representing some of the Patrol Special Officers, made a somewhat similar presentation to the Commission.

Other speakers were:

Patrol Special Officer Dolores Lovett
Patrol Special Officer John Candido
Mr. Christopher Plummer.

After listening to further discussion by the parties to this item, Commissioner Sanchez said this matter would be held over until the Commission received further recommendations from the Chief and the Legal Office pertaining to clarifications of the issues raised tonight, including the many options discussed.

The Commission thereafter, adopted the following Resolution to be effective in ninety (90) days as follows:

RESOLUTION NO. 756-81

AMENDING UNIFORM AND EQUIPMENT SPECIFICATIONS FOR PATROL SPECIAL OFFICERS.

RESOLVED, that the Police Commission hereby amends the Uniform and Equipment Specifications for Patrol Special Officers, as follows:

BRAID — Braid of royal blue, 1/2 inch wide on trouser leg, outer seam, from bottom of side pocket opening to bottom of trouser leg.

Braid for Jacket sleeves and trouser legs shall be:

Rice and Company Number 3281 Royal Blue, Rayon/Cotton Braid, or acceptable equal.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly.

The Commission adjourned its meeting at 9:26 p.m.

SECRETARY

9 DECEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 9, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

Commissioner Sanchez presiding.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of October 14,1981,reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

300 POST STREET - SAKS 5th AVENUE

a) At 300 Post Street, install a 22' blue zone, extending from 22' to 44' east of property line.

916 LAGUNA STREET - BETHEL A.M.E. CHURCH

a) At 916 Laguna Street, install a 22' blue zone, extending from 36' to 58' south of the north property line.

1345 OCEAN AVENUE - UNITED PRESBYTERIAN CHURCH

a) At 1345 Ocean Avenue, install a 63' white zone, extending from east property line 63' west of same.

b) At 1345 Ocean Avenue, revoke existing 63' red zone, extending from east property line 63' west of same.

1650 PACIFIC - S.F.P.D. - REVOKED

a) At 1650 Pacific, revoke existing 73' red zone, extending from 143' to 216' west of Polk Street.

1661 PACIFIC - S.F.P.D. - REVOKED

a) At 1661 Pacific, revoke existing 110' red zone, extending from 97' to 207' west of Polk Street.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 183 feet of red zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 757-81

MEIYAN ENTERPRISES, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Meiyan Enterprises Inc., against the City and County of San Francisco in the sum of $1,878.05 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 11, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 758-81

BRUCE PREVILLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Preville against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 759-81

MYLES CONWAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Myles Conway against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 25,1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 760-81

THOMAS CONROW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Conrow against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 761-81

DAVID L. ARNDT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David L. Arndt against the City and County of San Francisco in the sum of $55.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1981

AYES: Commissioners Daly, Toler, Muprhy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 762-81

RICHARD BEYER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Beyer against the City and County of San Francisco in the sum of $150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 12, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 763-81

JOHN H. COLEMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John H. Coleman against the City and County of San Francisco in the sum of $25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 9, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 764-81

CHARLES A. DEMARZO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles A. Demarzo against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 16,1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 765-81

JEAN ELIZABETH GRIFFITHS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jean Elizabeth Griffiths against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 28, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 766-81

CAROLYN VALLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carolyn Valley against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 7, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 767-81

REINHARD VOLKEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Reinhard Volkel against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 768-81

BILL A. WARNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bill A. Warner against the City and County of San Francisco in the sum of $25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 769-81

LOUIS F. BETTA

RESOLVED. that the recommendation of the City Attorney for settlement of the claim of Louis F. Betta against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 26,1981

AYES: Commissioners Daly, Toler, Muprhy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 770-81

JOANNA RIDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joanna Rider against the City and County of of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 771-81

ROBERT E. OLIVER III

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert E. Oliver III against the City and County of San Francisco in the sum of $1,900.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 12, 1981

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 772-81

ALVIRA GRAY

RESOLVED, that the recommendation of the City Attorney for proposed settlement of litigation of Alvira Gray in the sum of $12,500.00 in Superior Court Action No. 758-274, entitled, "Alvira Gray v. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 3, 1979

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 773-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Captain Richard H. Trueb Legal Office	$20.00 each	California Peace Officers Association Training Seminar, 1981 Legal Updates, Oakland, California, November 13,1981.
Sergeant William Gay Legal Office		
Sergeant Edmund Pecinovsky Legal Office		
Civilian Attorney Lawrence Wilson Legal Office		
Civilian Attorney Robert Martin Legal Office		

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 774-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant John Minoli Legal Office	$20.00 each	California Peace Officers Association Training Seminar, 1981 Legal Updates, San Jose, California, November 12,1981.
Police Service Aide Rea Puccinelli Legal Office		

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 775-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant/Inspector Charles Brewster Robbery Detail	$290.00 each	Specialized Surveillance Equipment Training, Sacramento, California, from November 16,1981 to November 20, 1981.
Sergeant/Inspector James Long "S" Squad		
Sergeant/Inspector Douglas Ramsey "S" Squad		

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 776-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Officer David Horton Intelligence Unit	$124.00 each	Street Gang Investigation Training Course, San Jose, California, from November 16,1981 to November 18,1981.
Officer William Murphy Intelligence Unit.		

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 778-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the

Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant/Inspector Robert Bullard Vice Crimes-Narcotics	$580.00	(Narcotic Investigation Training Course, Sacramento, California, from November 8 1981 to November 20, 1981.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 779-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Matteo Genna SSB/Warrant Section	$190.00	(California Law Enforcement Officers Seminar, Sacramento, California, November 5,1981 to November 6,1981.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 780-81

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Robert Bronson Fraud Detail	$285.00	(Southern California Fraud Investigators Training Institute, Oxnard, California,

(October 21, 1981 to
(October 23, 1981.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 781-81

AUTHORIZING ATTENDANCE OF SERGEANT DONALD CARLSON AND SERGEANT RICHARD RACINE, POLICE ACADEMY, AND PERSONNEL ANALYST JOHN WOOD, CONSENT DECREE UNIT, AT THE MICRODATA REALITY PROGRAMMING SEMINAR IN SAN FRANCISCO, CALIFORNIA, FROM JANUARY 11, 1982 TO JANUARY 15, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Donald Carlson and Sergeant Richard Racine, Police Academy and Personnel Analyst John Wood, Consent Decree Unit, be detailed to attend the Microdata Reality Progamming Seminar in San Francisco, California, from January 11, 1982 to January 15, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Carlson, Sergeant Racine and Personnel Analyst John Wood, in a sum not to exceed $500.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 782-81

AUTHORIZING ATTENDANCE OF OFFICER JOSEPH MOLLO, DEPARTMENT PHYSICAL TRAINING SUPERVISOR, POLICE ACADEMY, AT THE PR-24 SIDE HANDLE BATON INSTRUCTOR COURSE, IN LOS ANGELES, CALIFORNIA, FROM DECEMBER 14,1981 TO DECEMBER 18, 1981.

RESOLVED, that the recommendation of the Chief of Police that Officer Joseph Mollo, Department Physical Training Supervisor, Police Academy, be detailed to attend the PR-24 Side Handle Baton Instructor Course, in Los Angeles, California,from December 14, 1981 to December 18, 1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer

Mollo in a sum not to exceed $655.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 783-81

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST RICHARD GRZYBOWSKI, CRIMINALISTICS/SSB, AT THE HAZARDOUS CHEMICAL SAFETY SEMINAR, SAN MATEO, CALIFORNIA, FROM DECEMBER 14,1981 TO DECEMBER 15,1981.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Richard Grzybowski, Criminalistics/SSB,be detailed to attend the Hazardous Chemical Safety Seminar, in San Mateo,California, from December 14, 1981 to December 15,1981, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Criminalist Grzybowski in a sum not to exceed $300.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 784-81

AUTHORIZING ATTENDANCE OF POLICE OFFICER MICHAEL BOYD, VICE CRIMES-NARCOTICS UNIT, AT THE NARCOTIC INVESTIGATION COURSE,IN SACRAMENTO, CALIFORNIA, FROM JANUARY 10,1982 TO JANUARY 22, 1982.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Michael Boyd, Vice Crimes, Narcotics Unit, be detailed to attend the Narcotic Investigation Course in Sacramento, California, from January 10, 1982 to January 22, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer Boyd in a sum not to exceed $580.00 are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 785- 81

AUTHORIZING ATTENDANCE OF SERGEANT STEVEN SMITH AND INSPECTOR MICHAEL MALONEY, OPERATION "S", AT THE SPECIALIZED SURVEILLANCE EQUIPMENT TRAINING COURSE, IN SACRAMENTO, CALIFORNIA, FROM JANUARY 25, 1982 TO JANUARY 29, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Smith and Inspector Michael Maloney, Operation "S", be detailed to attend the Specialized Surveillance Equipment Training Course in Sacramento, California, from January 25, 1982 to January 29, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Smith and Inspector Maloney, in a sum not to exceed $290.00 each, will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

POLICE COMMISSION REPORT

Commissioner Sanchez said let the record show that the Police Commission met in Executive Session pertaining to Attorney/Client matters and no vote was taken.

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief submitted no report to the Police Commission at this meeting.

RECEIPT OF PROPOSED REVISION OF GENERAL ORDER NO. P-1, OF FEBRUARY 16, 1978, TRANSFER POLICY AND PROCEDURES. (COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Deputy Chief Stanley Cordes stated that the Department is requesting that this item be placed on the Commission Calendar for Public Hearing on December 16,1981, as there has been no objection to it by the Employee Associations.

Commissioner Daly so moved, seconded by Commissioner Murphy and unanimously approved.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE SAN FRANCISCO POLICE DEPARTMENT ENTER INTO A CONTRACT WITH THE SAN FRANCISCO HOUSING AUTHORITY FOR A PROJECT ENTITLED "PLAZA ANNEX SECURITY PROGRAM."

Commander Troy Dangerfield of the San Francisco Housing Authority Police appeared and reported on this project. He said basically this project relates to the infamous "Pink Palace" Housing Complex where there has been numerous heinous crimes occurring and also its use as a haven for those escaping after committing those crimes.

He said the Mayor's Criminal Justice Council agreed to alot to the Housing Authority $100,000 to develop a program to reduce the incidence of crime at this location. He continued by saying that because the Housing Authority is not a city agency it became necessary to contract through the San Francisco Police Department. He said the program, if approved by the Commission tonight, will be started on January 4, 1982 and will last approximately 9 months, terminating on October 4, 1982.

After further discussion the Commissioners noted that the only action for them to take in this regard was to approve it and wish them God speed and good luck with the project.

RESOLUTION NO. 777-81

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE SAN FRANCISCO POLICE DEPARTMENT ENTER INTO A CONTRACT WITH THE SAN FRANCISCO HOUSING AUTHORITY FOR A PROJECT ENTITLED "PLAZA ANNEX SECURITY PROGRAM." - APPROVED

WHEREAS, by Resolution No. 434-81, the

Board of Supervisors authorized the police department to contract with the San Francisco Housing Authority for increased security at the public housing facility known as the Plaza Annex; and

WHEREAS, the problem of crime in the Plaza Annex is directly related to the ease of access to the facility and the lack of wholesome recreational activities for the young inhabitants of the Plaza Annex; and

WHEREAS, the nine month contract with the Housing Authority will provide increased security for the residents and youth coordinators to provide recreational alternatives; therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco does hereby approve the contract between the San Francisco Police Department and the San Francisco Housing Authority and does authorize the Chief of Police to sign the contract on its behalf.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

RESOLUTION NO. 786-81

REQUEST OF POLICE OFFICER PATRICIA WILLIAMS, SOUTHERN POLICE STATION, TO APPEAL TWO DAYS' SUSPENSION.

WHEREAS, Police Officer Patricia Williams, Southern Police Station, was suspended by Chief of Police Cornelius P. Murphy, for a period of two (2) days in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, a communication was received from Robert F. Barry, President, San Francisco Police Officers' Assocation, requesting a hearing before the Police Commission for Officer Patricia Williams, in accordance with Section 3.06 of the Rules and Procedures of the San Francisco Police Deaprtment, to appeal her disciplinary suspension for a period of two (2) days by Cornelius P. Murphy, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer

Patricia Williams, Southern Police Station, for a hearing before the Police Commission to appeal her suspension by the Chief of Police is hereby scheduled for setting of a date on Wednesday, December 16, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Murphy, Sanchez

ABSENT: Commissioner Nelder

PUBLIC HEARING OF SPECK CAB COMPANY'S RESPONSE TO THE PETITION OF THE VETERANS TAXICAB COMPANY AS TO ALLEGED VIOLATIONS OF PROPOSITION K. (CONTINUED FROM THE MEETING OF NOVEMBER 4, 1981.)

Commissioner Sanchez suggested that the Commission tentatively calendar this matter for the 23rd of December providing there is a quorum for a meeting that night and if not, it could be set for the 6th of January.

Commissioners Murphy and Daly agreed with this suggestion and it was so scheduled.

Commissioner Daly said she would like to make a motion for the adjournment tonight in that a year ago the Commission adjourned in memory of a man who believed in peace and he believed that Police Officers were keepers of the peace and that the peace came from the people. She said before he died he supplied bullet proof vest for police officers in New York City when they couldn't afford them, ironically, and after he died his foundation gave $25,000 to the New York City Police Department's Widow and Orphans Fund.

She said she just wanted to remind the Commissioners today of this fact and in so doing ask that the Commission adjourn this meeting with a moment of silence for someone who really did believe in what people who keep the peace are all about. Therefore, she said, I would like to ask for a moment of silence in memory of John Lennon.

The meeting was then adjourned.

The Commission then adjourned its meeting at 5:40 p.m.

SECRETARY

SF
P45
#2
12/16/81

16 DECEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 16, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Commissioner Sanchez presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU

Item #6 - 507 Bush Street., St. Charles Hotel

Mr. Kanti Patel, applicant, said he was requesting that the white zone in front of this location not be revoked as 30% of his guest are tourist in this hotel and the other occupants, 15 of which are handicapped, are also living here.

Sergeant John Newlin of the Traffic Survey Division, said that his Division did not like the idea of approving a white zone for such places unless there are accommodations for over 100 people in the unit. He said what this gentleman has is a restored apartment house in which only 18 of the rooms would be classified as used for transient or tourist-type operations. He said that in the event the building is being remodeled that possibly, upon completion of the renovation, Mr. Patel should contact them and re-apply for a white zone. He said in the meantime they will go out to the location and consider the area for a blue zone.

Commissioner Murphy said she would move to accept the recommendation of the Department with the understanding that when the applicant completes the renovation of his building and gets it more or less full that he come back and the Commission would review his situation once again.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby apporved:

219 HAHN - VISITATION FOOD & LIQUOR

a) At 219 Hahn, install a 22' green zone, extending 22' north of south property line.

1060 POINT LOBOS - PARALIZED VETS OF AMERICA

a) At 1060 Point Lobos, install atwo 10' diagonal blue zones, extending from north corner of 1060 Point Lobos 20' south of same.

299 BAYSHORE - THE OLD CLAM HOUSE - DENIED

a) At 299 Bayshore, install an 18' white zone, extending from fire hydrant 18' north of same. DENIED.

940 FILBERT STREET - CHINA TOWN, NORTH BEACH COMMUNITY COLLEGE

a) At 940 Filbert Street, revoke existing 210' white zone, extending west of the east property line.

b) At 940 Filbert Street, install a 22' white zone, extending from 78' to 100' east of the west property line.

1520 STOCKTON STREET - NORTH EAST MEDICAL SERVICE

a) At 1520 Stockton Street, revoke existing 22' white zone, extending from north property line 22' south of same.

b) At 1520 Stockton Street, install a 22' blue zone, extending from north property line 22' south of same.

507 BUSH STREET - ST. CHARLES HOTEL - REVOKED

a) At 507 Bush Street, revoke existing 22' white zone, extending 72' west of west curb of Grant to 94' west of Grant.

b) Install one 30 minute parking meter.

101 SPROULE LANE - NOB HILL APARTMENT HOUSE

a) At 101 Sproule Lane, revoke existing 22' yellow zone, extending from 23' north of property line to 45' north of property line.

1320-1360 LOMBARD STREET - S.F.P.D. - REVOKED

a) At 1320-1360 Lombard Street, revoke existing 8' yellow zone, extending from 9' to 17' east of west property line.

2401 SCOTT STREET - TOWN SCHOOL FOR BOYS - REVOKED

a) At 2401 Scott Street, revoke existing 80' white zone, extending from 9' to 89' north of Jackson Street.

1697 SUTTER STREET - S.F.P.D. - REVOKED

a) At 1697 Sutter Street, revoke existing 24' yellow zone, extending rom 6' to 39' east of Laguna Street.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 426 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

On another item on the Consent Calendar, Item #5, Commissioner Murphy said she objected to its approval because there is an ordinance in the City that says that official people shall not be sent to unratified states and Virginia is one of those states. She said she did not feel that the Depart-

ment could continue to say that there is just no other place to get this training and go right on sending our personnel to those states using this excuse to do so.

Chief Murphy said there is an exemption and the exemption is that if there is no other training of this nature offered anywhere else then it is okay to send them. He said this is a valid exception in this case.

After further discussion the Commission voted on this item and Commissioners Nelder, Sanchez and Toler voted Aye, Commissioners Murphy and Daly voted Nay.

RESOLUTION NO. 793-81

AUTHORIZING ATTENDANCE OF CAPTAIN WILLIS CASEY, CHIEF OF THE SAN FRANCISCO INTERNATIONAL AIRPORT POLICE, AT THE FEDERAL BUREAU OF INVESTIGATION NATIONAL ACADEMY IN QUANTICO, VIRGINIA, FROM JANUARY 10, 1982 TO MARCH 26, 1982.

RESOLVED, that the recommendation of the Chief of Police that Captain Willis Casey, Chief of the San Francisco International Airport Police, be detailed to attend the Federal Bureau of Investigation National Academy in Quantico, Virginia, from January 10, 1982 to March 26, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Willis Casey in a sum not to exceed $800.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Nelder, Toler, Sanchez

NAYS: Commissioners Daly, Murphy

The Consent Calendar's other items were then voted upon and unanimously approved.

RESOLUTION NO. 787-81

NESS A. AQUINO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of

Ness A. Aquino against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 4, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 788-81

DENNIS D. BURNS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis D. Burns against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 13, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 789-81

JOHN BRUCE HAYES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Bruce Hayes against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 21, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 790-81

KEVIN C. MC DONOUGH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of

Kevin C. McDonough against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 28, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTON NO. 791-81

LORI NEWMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lori Newman against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date Of Incident: October 27, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 792-81

MICHAEL L. PARKER SR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael L. Parker Sr., against the City and County of San Francisco in the sum of $229.19 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 14, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 796-81

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of $6,000.00 charging same to Index Code

580217 as an advance on the Police Narcotics Fund for the month of December, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 797-81

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Cornelius P. Murphy, in the amount of $4,000.00 charging same to Index Code 580217 as an advance on the Police Contingent Fund for the month of December, 1981.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 794-81

AUTHORIZING ATTENDANCE OF INSPECTOR JOHN MCKENNA AND POLICE OFFICER LEON CROUERE, INTELLIGENCE UNIT, GANG TASK FORCE, AT THE BASIC ELEMENTS OF CRIMINAL INTELLIGENCE COURSE, IN SACRAMENTO, CALIFORNIA, FROM JANUARY 25, 1982 TO JANUARY 29, 1982.

RESOLVED, that the recommendation of the Chief of Police that Inspector John McKenna and Police Officer Leon Crouere, Intelligence Unit, be detailed to attend the Basic Elements of Criminal Intelligence Course in Sacramento, California, from January 25, 1982 to January 29, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector McKenna and Officer Crouere in a sum not to exceed $290.00 each, will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 795-81

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR DANIEL HANCE, VICE CRIMES,NARCOTICS UNIT, AT THE NARCOTIC INVESTIGATION COURSE IN SACRAMENTO, CAL-

IFORNIA, FROM JANUARY 31, 1982 TO FEBRUARY 12,1982.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Daniel Hance, Vice Crimes, Narcotics Unit, be, detailed to attend the Narcotic Investigation Course in Sacramento, California,from January 31, 1982 to February 12, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Daniel Hance in a sum not to exceed $580.00 will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 799-81

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY CASH AND SERGEANT JAMES HALL, TACTICAL DIVISION, AT THE ANALYSIS OF URBAN TERRORIST ACTIVITY COURSE IN SANTA CRUZ, CALIFORNIA, FROM JANUARY 4, 1982 TO JANUARY 8, 1982.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Gregory Cash and Sergeant James Hall, Tactical Division, be detailed to attend the Analysis of Urban Terrorist Activity Course in Santa Cruz, California, from January 4, 1982 to January 8, 1982, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Gregory Cash and Sergeant James Hall in a sum not to exceed $290.00 each,will be defrayed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Murphy under the Police Commission Report, introduced a friend of the Commission who said that he had not attended a Commission Meeting before.

The gentleman's name she said is, Lou La Costava.

Mr. Costava was then welcomed to the Commission Meeting.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy then said he had no report tonight.

PUBLIC HEARING RELATIVE TO THE PROPOSED REVISION OF GENERAL ORDER NO. P-1, OF FEBRUARY 16, 1978, TRANSFER POLICY AND PROCEDURES.

Deputy Chief Shannon said the Department met and conferred with the San Francisco Police Officers' Association on this policy for a period of two years. He said this policy creates certain restrictions for members in transfer requests. He said it basically states how many requests you may have and if you are offered a placement on a request that you have made you will only be allowed to pass it up one time. He said in this respect it is somewhat more restrictive. He said the San Francisco Police Officers' Association agrees with the policy as written and the Department recommends its approval.

Commissioner Toler moved approval, seconded by Commissioner Nelder and it was unanimously approved.

Commissioner Sanchez said he wished to congratulate the Chief and Staff and other organizations who have taken so much of their time to work this out.

He said this Transfer Policy was considered an "Achilles Heel" a number of years ago and this Commission and previous Commissions had held a number of hearings dealing with complicated transfer request. He stated the Commission cites "well done."

RESOLUTION NO. 798-81

DEPARTMENT GENERAL ORDER NO. P-1, TRANSFER POLICY AND PROCEDURES - APPROVED

RESOLVED, that the Police Commission hereby adopts General Order No. P-1, Transfer Policy and Procedures.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

NOTIFICATION THAT THE BOARD OF PERMIT APPEALS UPHELD THE POLICE COMMISSION'S DENIAL OF THE ISSUANCE OF TAXICAB PERMIT TO MR. PAUL KANSTOROOM.

Officer Lamont Suslow of the San Francisco Police Department's Permit Section said on November 18th the Board of Permit Appeals voted to concur in the Commission's decision to deny a taxi cab permit to Mr. Paul Kanstoroom. He said in this particular case Mr. Kanstoroom failed to file an application form with the Permit Bureau and also failed to show up at the Board of Permit Appeals.

The Commission then, for the record, officially acknowledged the Notification from the Board of Permit Appeals.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ISSUE TAXICAB PERMITS TO THE BELOW-LISTED APPLICANTS:

Victor P. Woon, Daniel F. Smith,
Richard T. Quigley, Jimmy Marez

It was noted that Mr. Jimmy Marez was a late addition to this list that originally appeared on today's Police Commission Calendar. This was a result of the previous party being denied a permit and subsequent notification of the Board of Permit Appeals upholding said denial, creating an additional position on the list to pick from. The applicants whose names were called in addition to Mr. Marez were Mr. Victor P. Woon, Daniel F. Smith, and Richard T. Quigley were summoned to the podium and Officer Suslow said they were all recommended for approval by the Department provided they comply with certain stipulations that previous applicants were ordered to comply with, Numbers 10, 11, 12, 14 and 15 of the Police Commission's Criteria for Taxi Cab Permits within 60 days of the Commission's approval. He said the criteria deals with filing an insurance policy, obtaining a radio for dispatching purposes, and etcetera.

It was noted that all applicants had agreed to comply with this criteria and, thereafter, Commissioner Murphy moved for approval, seconded by Commissioner Daly and unanimously approved.

RESOLUTION NO. 800-81

APPLICATION FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF TAXICABS - APPROVED

WHEREAS, each of the below-named persons applied

to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of permits to operate a taxicab in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on February 11, 1981, and hearings continued at intervals until and including October 28, 1981; and

WHEREAS, applicants appeared before the Commission, and presented documentary evidence in support of their applications; and

WHEREAS, various persons testified in opposition to the granting of additional permits and documentary evidence in support of their position, was presented to the Commission;. and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made, the applicant shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS,existing permit holders are, under normal conditions, inadequately serving the public in that prior to the emergence of Proposition K there were approximately 711 taxicab permits in the City and County of San Francisco; and

WHEREAS, the Commission has determined that since the advent of Proposition K the number of taxicab permits had gradually decreased to 688 and should be raised to the original level of 711; therefore be it

RESOLVED, that it is the decision of the Commission to issue 23 new taxicab permits to bring the number back up to 711 taxicab permits for the City and County of San Francisco; and be it further

RESOLVED, that said permits shall be granted under, and shall be revocable under, crieria and standards published by the Commission in conjunction with the applicable sections of the San Francisco Municipal Code, and shall be granted to the below-named applicants:

Woon, Victor P.
Smith, Daniel F.
Quigley, Richard T.
Marez, Jimmy

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE MOTOR VEHICLE FOR HIRE PERMIT ISSUED TO JOSEPH GALLI BE REVOKED

Officer Suslow said Mr. Galli was present and that the Department has recommended that Mr. Galli's Taxi Permit be revoked. He then read the findings of fact from the Police Department's Permit Hearing held on November 25th.

The Commission, after hearing of numerous alleged violations committed by Mr. Galli as revealed by the Permit Bureau, Mr. Galli was asked to respond.

Mr. Galli then said all of these alleged violations were the fault of the Veterans Taxi Cab Company, as he was home and ill in bed. He said he did not receive letters ent to him by the Department and if he had he would have been very pleased to respond because he is 70 years of age and driving a taxi is his livelihood. He said at this age he would not be able to get another job anywhere else so it would be very silly of him to ignore those letters.

A. Mr. Fred Manley also appeared on behalf of Mr. Galli and said that Mr. Galli's wife has a very bad case of arterio-sclerosis. He said Mr. Galli takes care of her and along with tis illness, Mr. Galli himself has a double hernia and some other problems with passing some Kidney Stones or Gall Stones. He said he (Mr. Manley) took Mr. Galli to the hospital and while hospitalized, Mr.Galli wanted to turn his cab over temporarily because he knew of the new law that required operating the cab on a 24 hourly basis. He said the Galli's phone bill was not paid because Mr. Galli's wife would collect the mail and then place it some place and forget it and it would get lost so the phone bill after 23 years in service with the same number was cut off. He said he (Mr. Manley) went down and paid the phone bill afterwards and the phone com pany told him later on that they had been receiving the payments but no one told them to turn the service back on. He said the phone company said

they had been sending Mr. Galli the notices but Mr.Galli was not getting the mail, his wife was.

He said Mr. Galli was up at U.C. Hospital and all the while there though the cab was being operated by Veterans Taxi Cab Company which, in fact, they were not.

Commissioner Nelder after listening to further discussion requested to the President of the Commission that he would like to make a motion.

He said it was pretty obvious that Mr. Galli is plagued by illness and an ill wife and that the whole thing,had they been well, would not have happened. He said he would like to make a motion at this time to put the whole matter over for a month with the instructions to Officer Suslow to see if he can't get Mr. Galli back into the field and working.

Commissioner Murphy seconded and it was unanimously approved.

RESOLUTION NO. 803-81

SETTING OF DATE FOR HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION OF POLICE OFFICER PATRICIA WILLIAMS, SOUTHERN POLICE STATION

WHEREAS, the date to be set for hearing on the appeal of the Chief's suspension of Police Officer Patricia Williams, Southern Police Station, was called, it having been set for this date; and

WHEREAS, it was requested by Robert F.Barry, President, San Francisco Police Officers' Association, that Officer William's hearing on the appeal of the Chief's Suspension before the Police Commission be set for Wednesday, January 20, 1982; therefore be it

RESOLVED, that the hearing on the appeal of the Chief's suspension of Police Officer Patricia Williams, Southern Police Station, is set for Wednesday, January 20, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 804-81

POLICE OFFICER YVONNE HARBOR, MUNI TRANSIT DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Yvonne Harbor, Muni Transit Division, as follows:

SPECIFICATION NO. 1

Failure to obey the lawful orders of a superior officer. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to truthfully and without evasion answer questions propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to remain at her assigned detail. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Sleeping while on duty. (Violation of Section 2.101 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to devote her entire attention to the efficient performance of police duties. (Violation of Section 2.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Neglect of duty and engaging in conduct which is prejudicial to the efficiency and discipline of the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Cornelius P. Murphy, Chief of Police, of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Yvonne Harbor, Muni Transit Division, is set for Wednesday, December 23, 1981 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 805-81

SETTING OF DATE FOR HEARING OF POLICE OFFICER LUCIEN R. SENHAUX, SOUTHERN POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Lucien R. Senhaux, Southern Police Station, was called, it having been set for this date; and

WHEREAS, a communication was received from Mr. George G. Walker, attorney for Police Officer Lucien R. Senhaux, that the date for the hearing before the Police Commission be set for January 13, 1982; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Lucien R. Senhaux, is set for Wednesday, January 13, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 806-81

STATUS REPORT IN THE MATTER OF POLICE OFFICER JODY J. MOROSCHOK, SUPPORT SERVICES BUREAU-PHOTO LAB SECTION

WHEREAS, the status report in the matter of Police Officer Jody J. Moroschok, Support Services Bureau-Photo Lab Section, was called, it having been set for this date; and

WHEREAS, a communication was received from Mr. John F. Prentice, Attorney at Law (Law Offices of Mr. Stephen Bruce Bley) requesting a continuance in this matter; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jody J. Moroschok, Support Services Bureau-Photo Lab Section, is set for Wednesday, January 13, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

CONTINUATION OF THE HEARING OF INSPECTOR WILLIAM C. BIGARANI, BUREAU OF INVESTIGATIONS

The matter of the hearing of Inspector William C. Bigarani, Bureau of Investigations, was called, it having been continued from the meeting of October 7, 1981.

Inspector William C. Bigarani, appeared in person and was represented by Mr. William R. Beirne, Attorney at Law.

Mr. William Beirne, Attorney for Inspector Bigarani, made an opening statement regarding negative media attention to Inspector Bigarani, and some of his prior activities as a police officer, as to the possibility of it having a prejudicial effect on one or more of the Commissioners. All Commissioners assured him of the fact that media attention had no effect upon them in any way whatsoever.

During Mr. Robert Martin's opening statement, Mr. William Beirne raised an objection to Mr. Martin's presentation relating to evidentiary matters presented in criminal proceeding regarding

his client's plea of Nolo Contendre. Mr. Beirne said that any matters in a Criminal Court of Law wherein the accused has been allowed a plea of Nolo Contendre that all matters pled to could not be subsequently raised in an administrative hearing. Commissioner Sanchez said that this would be noted for the record and then allowed Mr. Martin to continue with his opening statement.

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. John F. Hickey, Jr.
Internal Auditor
Pacific Gas & Electric Co.

Mr. Richard Knorr
Pacific Telephone Co.

Mr. Robert Vasconcellos

Mr. Larry Elliott, Accountant
425 Ellis Street, San Francisco, Ca.

Inspector Lloyd Cunningham
Crime Lab.

The following-named witness was called by the Defense, sworn and testified:

Sergeant/Inspector William C. Bigarani
Bureau of Investigations

The following exhibits were entered into evidence by the Prosecution:

Exhibit No. 1 - Letter from James Ciring,
Department of Corporations,
dated March 4,1980.

Exhibit No. 2 - Cancelled checks
Check Booth Inc.

Exhibit No. 2A - List of Checks
Check Booth Inc.
898 Market Street
San Francisco, Ca.

Exhibit No. 3 - Approximately 26 checks of Check Booth Inc. Stamped "Insufficient Funds."

Exhibit No. 4 - Four checks - Check Booth Inc. Stamped "Insufficient Funds."

Exhibit No. 5 - Copy of Checks on 8x11 sheets made out to San Francisco Water Deaprtment and stamped with insufficient funds, also attached is list of Water Department bills of customers.

The following exhibits were entered into evidence by the Defense:

Exhibit A - Copy of letter to Inspector C. Bigarani, dated January 25, 1980 from R. C. Metcalf, Credit Manager of Pacific Gas & Electric Co.

Exhibit B - Polygraph report of Herman & Shaheen Associates, Inc. dated May 2, 1980.

After listening to testimony from the above parties, the Commission then adjourned at 2120 hours, and the matter was continued to Wednesday, December 30, 1981 at 4:00 p.m., in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 9:20 p.m.

SECRETARY

23 DECEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 23, 1981 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS

RESOLUTION NO. 807-81

JEFFRY ABRAHAMSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffry Abrahamson against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 13, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 808-81

CLAIRE ANN BOUCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claire Ann Boucher against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 8, 1981

AYES: Commissioners Daly, Nelder, Toler,
Murphy, Sanchez

RESOLUTION NO. 809-81

ATLAS TOW SERVICE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Atlas Tow Service against the City and County of San Francisco in the sum of $75.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 18, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 810-81

H. J. FOREMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of H. J. Foreman against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 16, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 811-81

EDWARD T. WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edward T. Wilson against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 19, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 812-81

MAURICIO TENORIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mauricio Tenorio against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 16, 1981

AYES: Commissioners Daly, Nelder, Toler, Muprhy, Sanchez

RESOLUTION NO. 813-81

JERRY KOPEL

RESOLVED, that the recommendation of the City attorney for settlement of the claim of Jerry Kopel against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 8, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 814-81

DANIEL CHAVEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Chavez against the City and County of San Francisco in the sum of $60.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 815-81

EILEEN NOTTOLI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eileen Nottoli against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 9, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez.

RESOLUTION NO. 816-81

HEATHER COWAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Heather Cowan against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 23, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 817-81

PAUL SUHAJDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Suhajda against the City and County of San Francisco in the sum of $235.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 818-81

PROSPERO DA COSTA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Prospero Da Costa against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow,be, and the same is hereby approved.

Date of Incident: November 8, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 819-81

GRACE C. FUNK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Grace C.Funk against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 8, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 820-81

MARY MARGARET ELSEA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Margaret Elsea against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 19, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 821-81

ROD TAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rod Taylor against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 12, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 822-81

RICHARD HILGENBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Hilgenberg against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 12, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 823-81

ZACK ELECTRONICS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Zack Electronics against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 4,1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 824-81

MARY A. MC DERMOTT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary A. McDermott against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 8, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 825-81

KAORU OGURA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kaoru Ogura against the City and County of San Francisco in the sum of $40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 19,1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 826-81

TRANSAMERICA INSURANCE COMPANY AND HELEN HEUER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Transamerica Insurance Company and Helen Heuer against the City and County of San Francisco in the sum of $779.24 as the result of damages sustained,be, and the same is hereby approved.

Date of Incident: October 12, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 827-81

CHRIS NOLTING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris Nolting against the City and County of San Francisco in the sum of $250.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 15, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 828-81

ARTHUR ELOESSER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arthur Eloesser against the City and County of San Francisco in the sum of $210.20 as the result of a damages sustained, be, and the same is hereby approved.

Date of Incident: August 26, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 829-81

RENE FONTENOT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rene Fontenot against the City and County of San Francisco in the sum of $15.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Inicdent: September 8, 1981

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 830-81

MICHAEL SPIES

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael Spies in the sum of $750.00 in Superior Court Action No. 771-606 entitled "Michael Spies v. City and County of San Francisco, County of Orange, and Does I through XXV," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 5, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 831-81

DONALD FORREST, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Donald Forrest, et al in the sum of $7,884.00 in Superior Court Action No. 745-780 entitled, "Donald Forrest, Joan Mankin, and Arthur Mankin vs. City and County of San Francisco, et al," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 17, 1977

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 832-81

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Michael Seybold Legal Office	$20.00 each	California Peace Officers Association Training Seminar-1981 Legal Updates, Santa Rosa, California, December 7, 1981.
Police Officer Howard Bergmark Legal Office		

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Sanchez stated that the Commission met today in Executive Session at 1600 hours to discuss with their attorneys matters which are permitted to be discussed under the Brown Act.

No vote was taken.

Commissioner Daly inquired as to whether any preparation had been undertaken by the Department to handle the lines that would be forming out at Candlestick Park for those persons attemtping to obtain playoff tickets for the football game this Sunday.

Chief Murphy informed her that security measures were underway and are to be implemented by members assigned to the Potrero Police Station.

On another subject Commissioner Daly said she wanted to mention the incredible contribution the Police Officers' Association made to the Seniors Christmas Camp Program, a program that she has been supporting since its inception. She said she wanted to thank the POA and let her fellow Commissioners know that the POA had made such a contribution and that it was a great public service.

Commissioner Murphy mentioned that she was at a meeting where a person inquired as to how to get in touch with the Police Commission's Civilian Complaint Investigator and she said she advised him to call the Commission Office. She said she later asked the Commission's Investigator if he had had any calls from persons desiring to make complaints or requesting to be heard because they were dissatisfied with an Internal Affairs Investigation. She said he reported that other than the one person the Commission Staff directed to his office approximately three or four weeks ago, no one has asked to speak to him about the results of an investigation of their complaint.

She continued by saying that once the Department begins to send the satisfaction questionnaires, the IAD will shortly have completed the numbers of people contacting him will change dramatically as the public, at this time, is unaware of an appeals process under implementation. She said the Commissioners should all be aware, in case they are asked, to advise those parties inquiring about the

Procedures that they may call the Commission Office for information regarding those Procedures.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Murphy said he had no report tonight.

REQUEST OF MR. NAZZARENO ANDREOLI FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JTINEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS.

Officer Suslow appeared and reported on this matter saying that Mr. Andreoli was not present but that it was not necessary for him to appear. He said everything was inspected, as far as the bus was concerned, by Sergeant Parenti of the Taxi Cab Enforcement Detail and Mr. Andreoli's Insurance is already on file with the Police Department's Permit Bureau.

Commissioner Nelder then moved for approval, seconded by Commissioner Daly and it was unanimously approved.

RESOLUTION NO. 801-81

REQUEST OF MR. NAZZARENO ANDREOLI FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSEGNERS TO FIFTEEN (15) PASSENGERS. - APPROVED

WHEREAS, Mr. Nazzareno Andreoli requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission after hearing a favorable report from the Police Department's Permit Bureau regarding Nazzareno Andreoli's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase approves Mr. Andreoli's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Nazzareno Andreoli for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen

(15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

AMENDING THE ADMINISTRATIVE CODE OF THE CITY AND COUNTY OF SAN FRANCISCO BY AMENDING SECTION 10.117-3 THERETO TO INCREASE THE AMOUNT OF MONIES IN THE POLICE OFFICERS' TRAINING FUND.

Captain Richard Klapp of the Department's Personnel and Training Division, in making this request, gave the Commission a historical perspective on the Police Officers' Training Fund.

He said it had been established over 10 years ago and monies are derived from revenue generated by mandated training for police officers by the State of California. He said the original limit was set on that fund at $200,000, and in 1977, as the Department's training volume increased the Department then asked the Board of Supervisors to raise it to $400,000. He said the Department is now in a situation directly realted to a Federal Consent Decreee which has quadrupled the amount of training the Department must undertake. The cost, he said, has risen accordingly. He said it is expected that in this particular fiscal year the cost will arise above $600,000, and to comply with the mandate of the Consent Decree, the Department must, therefore, ask the Board to increase the limit as currently established to meet those rising cost.

Commissioner Nelder moved for approval, seconded by Commissioner Toler, and it was unanimously approved.

RESOLUTION NO. 802-81

AMENDING THE ADMINISTRATIVE CODE OF THE CITY AND COUNTY OF SAN FRANCISCO BY AMENDING SECTION 10.117-3 THERETO TO INCREASE THE AMOUNT OF MONIES IN THE POLICE OFFICERS' TRAINING FUND.

RESOLVED, that the Police Commission requests the Board of Supervisors to amend Section 10.117-3 of the San Francisco Administrative Code to raise the limit in the Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 833-81

SETTING OF A DATE FOR THE HEARING OF POLICE OFFICER YVONNE HARBOR, MUNI TRANSIT DIVISION

WHEREAS, the setting of the date for the hearing of the disciplinary charges filed against Police Officer Yvonne Harbor, Muni Transit Division, was called, it having been set for this date; and

WHEREAS, it was requested by Police Officer Gerald Schmidt, Representative, Potrero Station, that the date for the hearing before the Police Commission be set for January 27, 1982; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Yvonne Harbor, Muni Transit Division, is set for Wednesday, January 27, 1982 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING OF SPECK CAB COMPANY'S RESPONSE TO THE PETITION OF THE VETERANS TAXICAB COMPANY AS TO ALLEGED VIOLATIONS OF PROPOSITION K. (CONTINUED FROM THE MEETING OF DECEMBER 9,1981.)

Letters were sent to the Commissioners from Mr. Robert Tollen, Attorney for Speck Cab Company and both Mr. Tollen and Mr. Canterbury, Attorney for Veterans, while in conference, contacted Lieutenant Frazier by telephone and requested that the matter be continued tentatively to February 10th or 24th, 1982.

The Commissioners, after checking their personal calendars, continued the matter to February 24, 1982.

The Commission then adjourned at 5:35 p.m., and in doing so wished everyone a very happy holiday and also hopes for peace in Poland and everywhere else in the world where there is strife and proverty.

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30 DECEMBER 1981 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 30, 1981 at 1600 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioners Sanchez presiding.

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PRESENTATION OF TRAFFIC OFFICER OF THE MONTH AWARD.

Chief Murphy called upon Sergeant Gary Epperly to announce the winner of the Traffic Officer of the Month Award and to make the presentation he introduced Mr. Kyle Ossier from the Chamber of Commerce. He continued by saying that the Award is for the month of November and the recipient is an officer from Ingleside Police Station, Officer William Brunicardi. He continued by saying that for the month of November Officer Brunicardi made 10 investigations, 5 bookings, wrote 133 moving violations and to date, this year, he has conducted 95 investigations, made 67 arrests and issued a total of 529 citations.

Mr. Ossier then came forth and said that on behalf of the Chamber of Commerce he wanted to thank the Commission and Chief for having him here and participating in the program.

He then presented the Officer with a photograph of the City with the Officer's name engraved on it, accommodations for him and his quest for two nights at the Claremont Resort Hotel in Oakland, and dinner for two at the Stage Coach Restaurant, and dinner for two at Tarantino's on Fisherman's Wharf.

Commissioner Sanchez said that on behalf of the Police Commission, he would like to thank the Chamber of Commerce, and the Chief, for initiating this program a number of months ago and also Captain John Jordan, Commanding Officer of Ingleside Station, who is providing precinct leadership out there and most of his troops, along with other members of the Department, who are producing 150%, and to Officer Brunicardi for doing an outstanding job. He stated this program is making a difference, in reference to moving violations, arrests and the fact that

Officer Brunicardi's performance is setting an example for his peers and the whole Department.

He said he wanted to thank the officer for his sacrifices and for his outstanding performance.

CONTINUATION OF THE HEARING OF INSPECTOR WILLIAM C. BIGARANI, BUREAU OF INVESTIGATIONS

The matter of the hearing of Inspector William C. Bigarani, Bureau of Investigations, was called, it having been continued from the meeting of December 16, 1981.

Inspector William C. Bigarani appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Mr. Robert Martin, appeared on behalf of the San Francisco Police Department.

The following-named witnesses were called by the Defense, sworn and testified:

Inspector William C. Bigarani
Bureau of Investigations

Ms. Betty Cambou
1032 Commerical Avenue
South San Francisco, California

Mrs. Lucille Sutter
184 Duby Court

The Prosecution at this time recalled Inspector William C. Bigarani, Bureau of Investigations.

Thereafter Mr. Paul Thomas, McAllister Street, was then called by theDefense.

The Prosecution recalled Inspector Lloyd Cunningham, Bureau of Investigations.

The following exhibits were entered into evidence by the Defense:

Exhibit C - Sales Order, Kask Security Systems, Items sold to William C. Bigarani, dated January 7, 1980.

Exhibit D - Chek-Booth, Inc., letter to whom it may concern, dated February 12, 1980, notification that Chek-Booth, Inc., was closing their business.

After listening to testimony from the above parties, the Commission then adjourned at 2220 hours, and the matter was continued to Wednesday, January 13, 1982 at 6:30 p.m., in Room 551, Hall of Justice.

Recesses taken during the Hearing of Inspector William C. Bigarani:

1755 hours to 1803 hours.
1935 hours to 1945 hours.
2107 hours to 2112 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley,C.S.R.)

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

The Commission then adjourned its meeting at 10:20 p.m.

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